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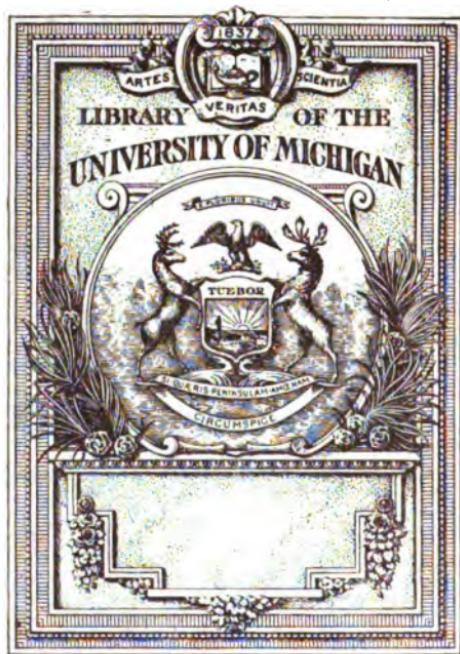
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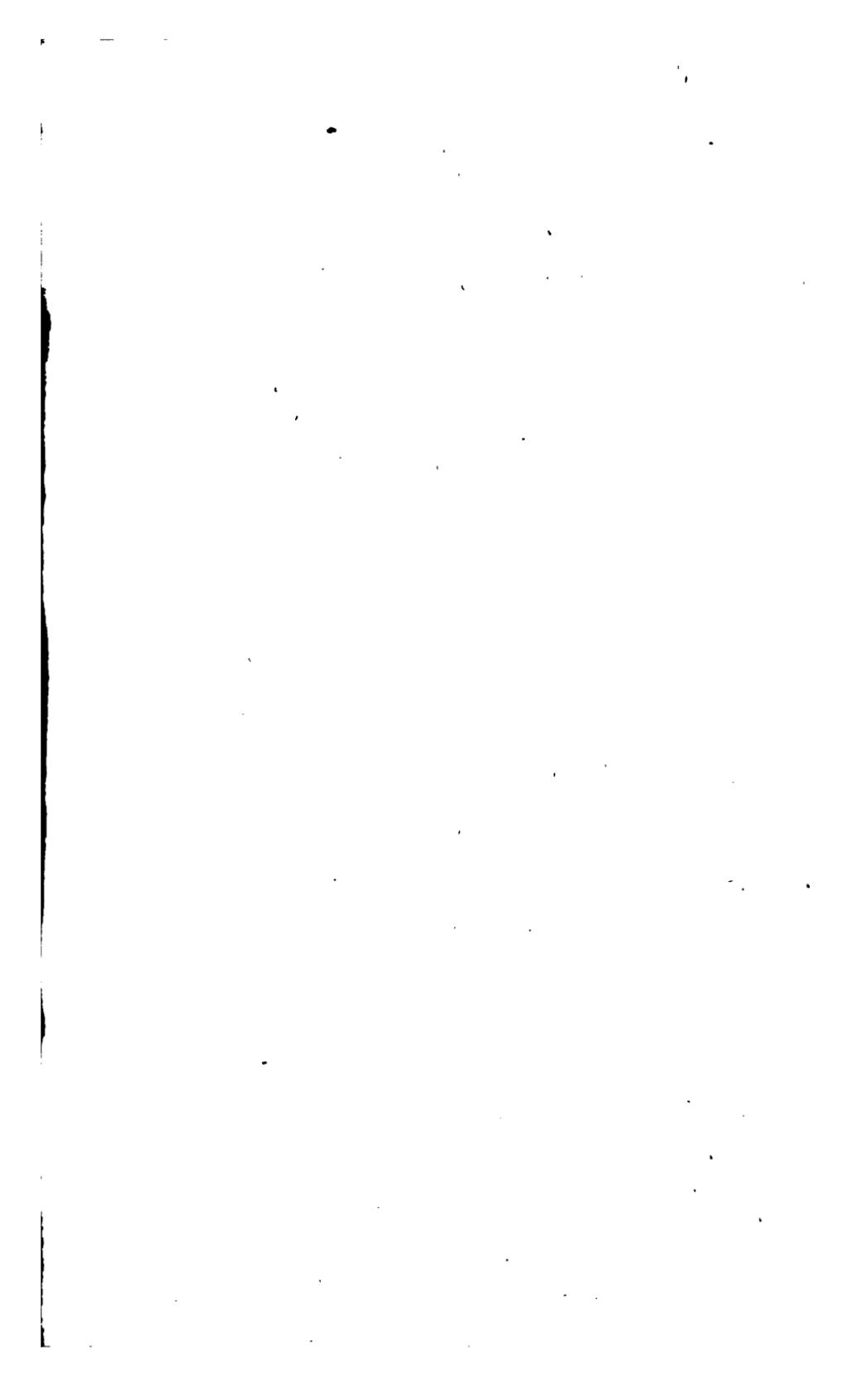
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The Reverend
JOSEPH TOWERS, L.L.D.

Published, as the Act Directs, March 30, 1796

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ON
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A N D
O T H E R S U B J E C T S,

PUBLISHED AT VARIOUS TIMES
BY
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AND NOW FIRST COLLECTED TOGETHER,
IN THREE VOLUMES.

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VINDICATION.

OF THE

POLITICAL PRINCIPLES

OF

Mr. L O C K E:

IN ANSWER TO THE OBJECTIONS OF

THE REV. DR. T U C K E R,
DEAN OF GLOUCESTER.

OMNES POTESTATES, IMPERIA, CURATIONES AB UNIVERO
POPULO PROFICISCI CONVENIT,

CICERO.

PRINCIPIO OMNEM POTESTATEM A POPULO PLUXISSE, ET
ETIAMNUM PROFICISCI.

MILTON.

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C O N T E N T S.

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A

VINDICATION, &c.

S E C T. I.



T is an act of justice due to those, who have been the great luminaries and benefactors of mankind, who have extended beneficial knowledge, and enlarged the boundaries of science, to vindicate their memory from unjust accusations,

tions, and to elucidate their principles, when clouded by misrepresentation, and by sophistry. It is with this view that I have been led to make some remarks on a Work lately published, by Dr. TUCKER, Dean of Gloucester, in which that gentleman has attacked the political sentiments of Mr. LOCKE, and endeavoured to overturn those principles of government that have been laid down by that illustrious writer; principles, which have been deservedly applauded by some of the wisest men of this, as well as of other countries; and the solidity of which has been generally admitted, by the sincerest and most enlightened friends to the rights of human nature.

It is to be regretted, that when some of the most ingenious men in foreign nations, in nations wherein they have been trained up and accustomed to arbitrary government,

vernment, are disseminating the most liberal principles of civil policy, and are daily becoming more enlightened with respect to the rights of mankind, there should be so many writers, in this free country, labouring to discredit and discountenance those principles of public freedom, to which Great Britain owes, more than to any other cause, its dignity and celebrity among the nations of the world.

If the representations which the Dean of Gloucester has given of the principles of Mr. Locke were to be admitted, and his consequences to be allowed, this great man must have been one of the most pernicious writers that ever communicated his sentiments to the public. The Dean informs his readers, in his preface¹, that he thinks Mr. Locke's principles 'to be extremely

¹ P. iii.

‘ dangerous

‘ dangerous to the peace and happiness of
 ‘ all societies:’ and in another place, that
 the writings of Mr. Locke, and some of
 the most eminent of his disciples, ‘ have
 ‘ laid a foundation for such disturbances
 ‘ and dissensions, such mutual jealousies
 ‘ and animosities, as ages to come will
 ‘ not be able to settle or compose.’ In
 another place he also says, ‘ Surely a more
 ‘ pernicious set of opinions than the Lock-
 ‘ ian could hardly be broached by man’:’
 and, speaking of what he calls the para-
 doxes which he supposes to attend the sys-
 tem of Mr. Locke and his followers, he
 asserts, that ‘ they render it one of the most
 ‘ mischievous, as well as ridiculous schemes,
 ‘ that ever disgraced the reasoning faculties
 ‘ of human nature.’

* Tucker’s Treatise concerning Civil Government,
 p. 22. * Ibid. p. 112. * Ibid. p. 160.

THESE

THESE are strong assertions, and expressed in terms highly injurious and disrespectful to Mr. Locke, and to those who have adopted his sentiments; and such assertions ought at least to have been well supported. But the fact is far otherwise: and I am firmly convinced, after a careful perusal of Dean Tucker's book, and paying a due attention to his objections, that he has done the greatest injustice to Mr. Locke, and grossly misrepresented his opinions; and that the general maxims of government, laid down by that celebrated writer, are highly rational and just, and calculated, so far as they are attended to, for the promotion of the great interests of mankind. It may, however, be observed, that in vindicating the principles of Mr. Locke, it is not necessary to defend the propriety of every particular phrase which may have been used by him; though he is a writer of such per-

spicuity

spicuity and accuracy, as not to require much apology on this head. But his great and general principles are founded upon truth and reason, and are not to be shaken by logical subtleties, or by verbal criticism.

HAVING made these preliminary observations, I shall now proceed more particularly to examine the most important of the objections, which have been advanced by the Dean of Gloucester, against the political principles of Mr. Locke.

ONE of the Dean's first objections is, that 'almost all the writers on the republican side of the question, with Mr. Locke at the head of them, seem to represent civil government at the best, rather as a necessary evil, than a positive good;— an evil to which mankind are obliged to submit,

* submit, in order to avoid a greater? But this objection appears to have very little weight in it; and what the Dean says may be admitted, without any just censure of Mr. Locke's principles, or those of his followers. Dr. Tucker is displeased, that they do not represent men as having a natural propensity to government. The fact is, that they have no such propensity. Men have strong natural propensities for friends, for companions, and for other social connexions; but no man feels a strong propensity for a magistrate of any kind, or for any species of laws, till he experiences, or is convinced of, the inconveniency of living without them.

IN order to enforce his charge against the disciples of Mr. Locke, that they represent men 'as naturally shewing an aver-

? Tucker, p. 25.

tion,

tion, and a repugnance to every kind of
 subordination, 'till dire necessity compels
 them to enter into a solemn compact, and
 to join their forces together for the sake
 of self preservation,' he gives a quotation
 from Dr. Priestley's "Essay on the first
 principles of Government";¹² and on
 which

Dr. Priestley's words are: 'To begin with first principles, we must, for the sake of gaining clear ideas on the subject, do what almost all political writers have done before us; that is, we must suppose a number of people existing, who experience the inconvenience of living independent and unconnected; who are exposed, without redress, to insults and wrongs of every kind; and too weak to procure themselves many of the advantages, which they are sensible might easily be compassed by united strength. These people, if they would engage the protection of the whole body, and join their force, in enterprizes and undertakings calculated for their common good, must voluntarily resign some part of

their

which he makes the following remarks :
 ' It is very observable,' says the Dean, ' that
 ' the author (Dr. Priestley) supposes go-
 ' vernment to be so entirely the work of
 ' art, that nature had no share at all in form-
 ' ing it ; or rather in predisposing and inclin-
 ' ing mankind to form it. The instincts
 ' of nature, it seems, had nothing to do in
 ' such a complicated business of chicane and
 ' artifice, where every man was for the best
 ' bargain he could ; and where all in ge-
 ' neral, both the future governors and go-
 ' verned, were to be on the catch as much
 ' as possible. For this author plainly sup-
 ' poses, that his first race of men had not
 ' any innate propensity to have lived other-
 ' their natural liberty, and submit their conduct to
 ' the direction of the community : for without these
 ' concessions, such an alliance, attended with such
 ' advantages, could not be formed.' P. 9, 10. edit.
 1768.

‘ wife,

' wife, than as so many independent un-
 ' connected beings, if they could have lived
 ' with tolerable safety in such a state: in
 ' short, they did not feel any instincts within
 ' themselves, kindly leading them towards
 ' associating, or incorporating with each
 ' other; though (what is rather strange)
 ' providence ordained, that this way of life
 ' was to be so essentially necessary towards
 ' their happiness, that they must be mis-
 ' erable without it:—nay, they were driven
 ' by necessity, and not drawn by inclination,
 ' to seek for any sort of civil government
 ' whatever? All that the Dean says here
 about *chicane*, and *artifice*, and *driving bar-
gains*, and *being on the catch*, it must be re-
 marked, is entirely of his own fabrication;
 nothing similar occurring in the quotation
 that he has given from Dr. Priestley: and
 it is manifest, from the whole of this pas-

⁷ Ibid. p. 23, 24.

sage, that Dr. Tucker confounds the natural propensity of men to society, with a supposed natural inclination for government, of which we know not that any traces are discernible. It is a desire of security, and not social affections, that leads men to government. Experience, and the dictates of reason, will convince them of the necessity of some mode of civil government: but they are led to society by the propensities of nature.

IN another part of his work, the Dean has pointed out sundry particulars in the human species, which naturally lead them to associate with each other, and which he considers as amounting to sufficient evidence of their propensity to government; and here he expresses himself with more clearness than at the beginning of his book. For here he does not absolutely confound a

propensity to society with a propensity to government; but speaks of the "disposition" "in human creatures to associate with their like," as only "a leading step towards civil society." But it would be to little purpose to follow our author in all his inquiries upon this subject, and to examine Aristotle, Cicero, Grotius, and Hooker, as the Dean has done¹, in order to discover whether men have a natural propensity to government. The passages that he has quoted prove little more, than what Mr. Locke and his followers would readily have admitted, that men have a natural propensity to associate themselves together, and that a very moderate degree of experience would convince them, of the expedience and utility of some mode of government, for

¹ P. 124, 125. Vid. also p. 151, where the Dean distinguishes between *natural* and *political* society.

² P. 381, 385, 395, 400.

their

their mutual protection and defence. ' Man-kind,' says Mr. Locke, ' notwithstanding all the privileges of the state of nature, being but in an ill condition, while they remain in it, are quickly driven into society. Hence it comes to pass, that we seldom find any number of men live any time together in this state. The inconveniences that they are therein exposed to, by the irregular and uncertain exercise of the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government, and therein seek the preservation of their property. It is this makes them so willingly give up every one his single power of punishing, to be exercised by such alone, as shall be appointed to it amongst them; and by such rules as the community, or those auth-

‘ rized by them to that purpose, shall agree
‘ on ‘‘.’

As to the charge against Mr. Locke, and his disciples, that they represent civil government rather as a necessary evil, than a positive good, it may be sufficient to remark, that if all men were virtuous, there would be no occasion for either government or laws. In that view, therefore, they may, without the least impropriety, be considered as an evil. But it is certain, that neither Mr. Locke, nor any of his disciples, ever entertained any doubt about the necessity of laws and government. This, it might have been presumed, should have been sufficient to have satisfied Dr. Tucker, though they did entertain some doubts whether mankind had any propensity to government,

“ Locke on Government, Book II. ch. ix. §. 127.
independ-

independently of the consideration of its utility.

THE Dean also complains, that ' Mr. Locke, and his followers, have extended the privilege of voting, or of giving actual consent, in all the affairs of government and legislation, beyond what was ever dreamt of before in this, or in any other civilized country;—nay, according to their leading principles, it ought to be extended still much farther, than even they themselves have done. Before this new system had made its appearance among us, the right of voting was not supposed to be an unalienable right, which belonged to all mankind indiscriminately: but it was considered as a privilege, which was confined to those few persons who were in possession of a certain quantity of land, to persons enjoying certain franchises,

children, (of which there are various kinds),
 and to persons of a certain condition, age,
 and sex. Perhaps all these numbers put
 together may make about the fortieth
 part of the inhabitants of Great Britain :
 they certainly cannot make much more,
 if an actual survey and enumeration were
 to be made ".

It may be readily admitted, that Mr. Locke and his followers wished to extend the present partial representation of the people, and to make it more agreeable to reason and to justice, and more likely to promote the general interests of the whole community. But this is not one of the defects of Mr. Locke's system, but one of its principal excellencies. As all just government, and all national assemblies properly constituted, must be intended to pro-

Tucker, p. 25, 26.

mote

note the happiness of the whole community, the more general the representation is, the more probable it is that this end will be obtained. Parliaments are not appointed to advance the interests of any particular bodies or classes of men, in preference to others, but to make laws for the protection, security, and advantage, of the community at large; every individual, therefore, is interested in the proceedings of parliament; and the more general the representation is, it must be the more equitable, and it will be the more likely that the welfare of all will be impartially consulted. A partial representation will naturally produce partial laws, and be a source of oppression and injustice; and a partial representation may be influenced and corrupted by the crown, in a manner that would be totally impossible, if the people enjoyed a fair, equal, and general representation in parliament.

No unprejudiced person can, indeed, consider the present state of parliamentary representation in England, without being convinced, that it is partial and inadequate, and ill calculated to advance the real interests of the nation. Dean Tucker himself supposes, that the voters for representatives in parliament amount to no more than "about "the fortieth part of the inhabitants of "Great Britain .". Can it then be thought agreeable to any principles of reason, or of justice, that thirty-nine fortieths of the kingdom should be excluded from so important a privilege; or that a fortieth part of the people ought to be invested with a right of disposing of the properties of all the rest ?

It is certainly absurd and unjust, that large and populous towns should send no

representatives to parliament, while the most inconsiderable boroughs return members, and even places in which scarcely an inhabitant can be found. ‘ To what gross absurdities,’ says Mr. Locke, ‘ the following of custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remains not so much as the ruins, where scarce so much housing as a sheep-cote, or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers, as a whole county numerous in people, and powerful in riches. This strangers stand amazed at, and every one must confess needs a remedy ’.’ Dean Tucker indeed supposes, that Birmingham, Manchester, Leeds, and other great towns, would remonstrate against being admitted

to send members to parliament¹⁴. It is possible, that a few mercantile tradesmen and manufacturers of those towns, men who have scarcely an idea of excellence in any thing but the acquisition of money, might concur in opinion with Dr. Tucker: but it is surely not probable, that any considerable number of the inhabitants of those great and respectable towns, could be mean and sordid enough to refuse so important a privilege, as that of being represented in the great council of the nation.

It appears repugnant to every principle of reason, to suppose, that a partial parliamentary representation will better promote the interests of the great body of the people, than one more general or universal. It 'being the interest,' says Mr. Locke, 'as well as intention of the people, to have

' a fair and equal representative; whoever
 ' brings it nearest to that, is an undoubted
 ' friend to, and establisher of the govern-
 ' ment, and cannot miss the consent and
 ' approbation of the community.' — ' What-
 ' soever cannot but be acknowledged to be
 ' of advantage to the society, and people in
 ' general, upon just and lasting measures,
 ' will always, when done, justify itself;
 ' and whenever the people shall chuse their
 ' representatives upon just and undeniably
 ' equal measures, suitable to the original
 ' frame of the government, it cannot be
 ' doubted to be the will and act of the so-
 ' ciety, whoever permitted or caused them
 ' so to do ' ' .

As Dean Tucker is no friend to a general representation of the people, neither is he a friend to frequent elections. He says,

" Ch. xiii: §. 158.

that

that “ annual, or even triennial appeals to
 “ the whole mass of the people, would
 “ bring *swift ruin and destruction* on *all our*
 “ *trade and manufactures*¹⁶.” It is surely
 very extraordinary, that the people of this
 country cannot meet once a year, or even
 once in three years, in the places appro-
 priated for election in the different parts of
 the kingdom, to chuse their representatives
 in parliament, without totally ruining all
 their trade. I can hardly suppose it possible,
 that any man in the kingdom, excepting
 the Dean of Gloucester, can be seriously of
 this opinion; and I should not have sup-
 posed it possible for him to have entertained
 so strange an idea, if he had not himself
 asserted it. That our parliamentary elec-
 tions are often attended with much riot and
 confusion, must be admitted; but this is
 no necessary consequence of them; and ap-

pears merely to arise from the want of proper regulations. The citizens of London, who are householders, elect their common-council-men annually, with little disturbance, and little loss of time. The office of a member of parliament would naturally occasion more contest, as being much more important than that of a common-council-man of the city of London; but the one may be elected in as short time as the other, in proportion to the number of votes to be taken; and, if proper regulations were adopted, there can be no reason to doubt, but that members of parliament might be elected in every part of the kingdom, in a short time, and with little confusion. Dean Tucker says, that "in London, the people are the most licentious upon earth;" and yet the elections of members of parliament in London, where the electors are computed to amount to seven thousand, are seldom

seldom attended with much disorder; and might be finished in less time, and be conducted with less irregularity, than they now are. If there were a sincere desire, in those who are most able to effectuate it, to establish a fair and equal representation of the people, which desire would be attended with a disposition to adopt proper regulations, I am well convinced, that even annual elections of the people at large might be conducted with much less disorder and confusion, than are now attendant on our present partial and septennial elections. But where there is not a real disposition to effectuate a measure, but on the contrary a desire to defeat it, nothing can be more easy than to accumulate imaginary difficulties.

“ If all mankind,” says Dr. Tucker, “ have a right to vote in any society, they have

have, for the very same reason, a right to reject the proceedings of the government of that society to which they belong, and to separate from it, whenever they shall think fit. For it has been inculcated into us over and over, that every man's consent ought first to be obtained, before any law whatever can be deemed to be valid, and of full force. We have been also assured, that all, and every kind of taxes, are merely *free gifts*, which, therefore, no individual giver is obliged to pay, unless he has previously consented to the payment of it. From these premises, it undoubtedly follows, that *every individual member* of the state is at full liberty either to submit, or to refuse submission to any, and to every regulation of it, according as he had predetermined in his own mind. For being his own legislator, his own governor, and director

for

‘ tor in every thing, no man has a right to
‘ prescribe to him what he ought to do.
‘ Others may advise, but he alone is to
‘ dictate, respecting his own actions. For,
‘ in short, he is to obey no other will but
‘ his own.’ ‘ These,’ the Dean adds, ‘ are
‘ surely very strange positions;’ and so they
most certainly are: but they are not the
positions of Mr. Locke, nor is there any
one of his followers, of whose writings I
have any knowledge, to whom they can
with the least reason be attributed. Either,
therefore, Dean Tucker has not under-
stood the authors whom he has quoted, and
concerning whom he has written, or he
has wilfully misrepresented them. I should
be sorry to suppose the latter, and it is not
easy to suppose the former.

MR. LOCKE says, that the end of civil
society is, ‘ to avoid, and remedy those in-
‘ conveni-

' conveniences of the state of nature,
 ' which necessarily follow from every man
 ' being judge in his own cause, by setting
 ' up a known authority, to which every
 ' one of that society may appeal upon any
 ' injury received, or controversy that may
 ' arise, and which every one of the society
 ' ought to obey '." He also says, that
 ' every man, by consenting with others,
 ' to make one body politic under one go-
 ' vernment, puts himself under an obli-
 ' gation, to every one of that society, to
 ' submit to the determination of the ma-
 ' jority, and to be concluded by it: or
 ' else this original compact, whereby he
 ' with others incorporated into one society,
 ' would signify nothing, and be no com-
 ' pact, if he be left free, and under no
 ' other ties than he was in before in the

" Locke on Government, Book II. ch. vii. §. 90.

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state

state of nature". In another place he observes, that when any number of men have consented to make one community or government, they are thereby presently incorporated, and made one body politic, wherein the majority have a right to act and conclude the rest. For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority: for that which acts any community, being only the consent of the individuals of it, and it being necessary to that which is one one body to move one way; it is necessary, that the body should move that way whither the greater force carries it, which is the consent of the majority: or else it

is impossible it should act or continue one body, one community, which the consent of every individual that united into it, agreed that it should ; and so every one is bound by that consent to be concluded by the majority¹⁹. And Dr. Price says, that "all laws are particular provisions or regulations established by common consent for granting protection and safety".

When it is said, that taxes are free-gifts, it is not meant, that they are free-gifts, which every individual may either pay or decline as he thinks proper ; but that they are the free-gifts of the majority, of the community at large, to the magistrate, or executive power, to be em-

¹⁹ §. 95, 96.

Observations on the Nature of Civil Liberty,
part I. §. 2.

ployed for the people, and to be granted at their discretion. 'Governments,' says Mr. Locke, 'cannot be supported without great charge; and it is fit that every one, who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it: But still it must be with his own consent, i. e. the consent of the majority, giving it either by themselves, or their representatives chosen by them: for if any one shall claim a power to lay and levy taxes on the people, by his own authority, and without such consent of the people, he thereby invades the fundamental law of property, and subverts the end of government'". Such are the sentiments of Mr. Locke; and Dr. Price must be understood in the same manner, when he says, that "in every free state every man is his own legisla-

“ tor;” and that “ all taxes are free-gifts
“ for public services .”

“ A TAX in the very nature of it,’ the
Dean says, ‘ implies something compul-
sory, and not discretionary; something,
‘ which is not in our own free choice,
‘ but is imposed by an authority superior
‘ to our own ²³.’ I shall not inquire
whether this definition of the nature of a
tax be perfectly just, but shall only remark,
that it was never supposed by Mr. Locke,
nor by any of his followers, that it was to
be at the option of every individual whether
he should, or should not, pay taxes. But
in a government constituted on the prin-
ciples of Mr. Locke, the superior authority,
by which taxes are to be levied, is the au-

²² Observations on the Nature of Civil Liberty,
Part I. §. 2.

²³ P. 49.

thority and consent of the majority; every member of the community having voted either by himself, or by his representative; and consequently every individual is under the most indispensable obligation to pay the taxes so levied.

SHOULD it be alleged by the Dean, that though, according to Mr. Locke's principles, the members of any community are obliged to obey the laws to which the majority have agreed, yet that they would not be under any such obligation without that consent, even that subterfuge would not avail him; because Mr. Locke maintains, that while men continue in any society, they must comply with the laws of it. 'No body doubts,' he says, 'but an express consent, of any man entering into any society, makes him a perfect member of that society, a subject of that government.'

' ment. The difficulty is, what ought to
 ' be looked upon as a tacit consent, and
 ' how far it binds, i. e. how far any one
 ' shall be looked on to have consented, and
 ' thereby submitted to any government,
 ' where he has made no expressions of it
 ' at all. And to this I say, that every man
 ' that hath any possessions, or enjoyment,
 ' of any part of the dominions of any go-
 ' vernment, doth thereby give his tacit con-
 ' sent, and is as far forth obliged to obe-
 ' dience to the laws of that government,
 ' during such enjoyment, as any one under
 ' it; whether this his possession be of land,
 ' to him and his heirs for ever, or a lodg-
 ' ing only for a week; or whether it be
 ' barely travelling freely on the highway;
 ' and, in effect, it reaches as far as the very
 ' being of any one within the territories of
 ' that government ¹⁴. It is manifest from

¹⁴ Book II. ch. viii. §. 119.

these passages, that when the Dean of Gloucester insinuates to his readers, that it is the doctrine of Mr. Locke, or that it is a necessary consequence from his doctrine, that individuals are to pay taxes, and to obey the laws, no farther than they please, he is guilty of a very gross and flagrant misrepresentation.

IN another place Dr. Tucker says, that those who have adopted the sentiments of Mr. Locke, ‘ esteem civil government, ‘ even in its best estate, to be a kind of ‘ unnatural restraint on the native freedom ‘ of man:—it is an evil, which he must ‘ bear, because he cannot help himself; but ‘ yet which he is continually endeavouring ‘ to shake off, in order to become totally ‘ free and independent ²⁵.’ Mr. Locke, on the contrary, has declared, that ‘ Civil

' government is the proper remedy for the
 ' inconveniencies of the state of nature,
 ' which must necessarily be great, where
 ' men may be judges in their own cause ²⁶ ;'
 that ' men enter into society to preserve
 ' their lives, liberties, and fortunes, and
 ' by stated rules of right and property to
 ' secure their peace and quiet ²⁷ : ' and that
 ' to avoid those inconveniencies which dis-
 ' order men's properties in the state of na-
 ' ture, men unite into societies, that they
 ' may have the united strength of the
 ' whole society to secure and defend their
 ' properties, and may have standing rules
 ' to bound it, by which every one may
 ' know what is his ²⁸ . '

THE Dean also says, ' Let the unpeopled
 ' regions of America, those *vacua loca*,
 ' mentioned by Mr. Locke, be the theatre

‘ for exhibiting this curious phænomenon,
 ‘ a Lockian republic ! Where all taxes are
 ‘ to be free gifts, and every man is to obey
 ‘ no farther, and no otherwise, than he
 ‘ himself chuses to obey¹⁹.’ It was never
 supposed by Mr. Locke, or any of his
 followers, that under any mode of go-
 vernment, even in a republic of the freest
 kind, in which every man had a vote, that
 when the majority of the community had
 agreed to levy a tax, or had enacted a law,
 that individuals were left to their own
 choice, whether they would pay the one, or
 obey the other. But in this gross kind of
 misrepresentation does the Dean indulge
 himself, throughout various parts of his
 book. Whether this be at all consistent
 with candour, or with common justice, I
 shall leave Dr. Tucker himself to deter-
 mine.

THE misrepresentations of the great principles of liberty by that eminent advocate for tyranny, Sir Robert Filmer, and those of Dr. Tucker, appear to be extremely similar. 'Freedom,' says Mr. Locke, 'is not what Sir Robert Filmer tells us, a liberty for every one to do what he lists, to live as he pleases, and not to be tied by any laws: but freedom of men under government is, to have a standing rule to live by, common to every one of that society, and made by the legislative power erected in it; a liberty to follow my own will in all things, where the rule prescribes not; and not to be subject to the instant, uncertain, arbitrary will of another man'.^o Mr. Locke, in another place, says, 'Liberty is, to be free from restraint and violence from others; which cannot be, where there is no law: but freedom is not, as

^o Locke, Book II. ch. iv. §. 22.

' we

' we are told, a liberty for every man to
 ' do what he lists: (for who could be free,
 ' when every other man's humour might
 ' domineer over him?) but a liberty to
 ' dispose, and order as he lists his person,
 ' actions, possessions, and his whole pro-
 ' perty, within the allowance of those laws
 ' under which he is, and therein not to be
 ' subject to the arbitrary will of others, but
 ' freely follow his own ¹¹.' And that 'the
 ' liberty of man, in society, is, to be under
 ' no other legislative power, but that esta-
 ' blished, by consent, in the common-
 ' wealth; nor under the dominion of any
 ' will, or restraint of any law, but what
 ' the legislative shall enact, according to
 ' the trust put in it ¹².'"

HAD Dr. Tucker lived in the days of
 Filmer, he would probably have been one

¹¹ Ibid. §. 57.

¹² Ibid. §. 22.

of his disciples ; but the doctrines of that writer are too much exploded, in the present age, for any man to venture to maintain them ; and, therefore, all that the Dean of Gloucester can now do, is not formally to vindicate Filmer, but to degrade Locke as much as possible. It may also be remarked, that Dr. Tucker has probably derived considerable political information from the writings of Mr. Locke, though he does not admit all his doctrines. But, as Dr. Johnson well observes, ‘ it is not uncommon for those who have grown wise by the labour of others, to add a little of their own, and overlook their masters ’. The Dean cannot, indeed, be said to have made any valuable addition to Mr. Locke’s system : but the best political principles in his book are those which he has borrowed from Mr. Locke, or in which he perfectly agrees with

²³ Life of Addison, p. 149.

him.

him. He appears, indeed, to be very happy, at the information which has, it seems, been communicated to him by some of his friends, that Mr. Locke's reputation is on the decline. Before he obtained this knowledge, he had printed a list of Mr. Locke's mistakes, to be dispersed among his friends; but he now acquaints his readers, in his preface, that he has totally suppressed that enumeration of Mr. Locke's errors, the publication being unnecessary, on account of the declension of his reputation. The admirers of Mr. Locke may, however, hope, with some reason, that his reputation will not be much diminished by the attacks of the Dean of Gloucester; and that the political system of the latter, if it deserves that name, will not supersede that of the former.

3.

S E C T.

S E C T. II.

THE Dean of Gloucester seems to labour under great apprehensions, that if Mr. Locke's principles be admitted, they will lead men to throw off their subjection to the governments under which they live, and be a perpetual source of insurrections and rebellions, of convulsions and calamities. He is alarmed lest the sentiments of Mr. Locke should endanger the security of states and kingdoms.

————— *Ne populus fremens*

Ad arma cessantes, ad arma

Concitet, imperiumque frangat.

BUT

BUT his fears upon this occasion are certainly too great. There is not that danger of men attempting to overturn established governments, of which he has entertained so formidable an idea. It is too hazardous an undertaking, and men will not easily be found to engage in such enterprizes, merely from speculative opinions. They must generally feel oppression, and severely feel it; before they will make any efforts to oppose the government to which they have been accustomed, however defective and inequitable its constitution. And whenever the tyranny of rulers has occasioned the governed to throw off the yoke, it is certainly better that they should establish a new system, more agreeable to natural equity, and to the rights of mankind. Thousands, in every age, have been sacrificed to gratify the ambition, and the tyranny of princes: but it would be abundantly more rational, and

and more honourable, that men should devote their lives in the promotion of general liberty, and in the establishment of such systems of government, as are consonant to reason, and to justice.

WARS are certainly great calamities, and ought therefore never to be inconsiderately or unnecessarily engaged in ; but there are periods in which a state of peace may be a greater evil ; and perhaps any war is preferable to the dead repose of despotism.

‘ It is ill,’ says Algernon Sydney, ‘ that men should kill one another in seditions, tumults, and wars ; but it is worse, to bring nations to such misery, weakness, and baseness, as to have neither strength, nor courage to contend for any thing ; to have left nothing worth defending, and to give the name of peace to desolation.

‘ I take Greece to have been happy and

‘ glorious, when it was full of populous
‘ cities, flourishing in all the arts that de-
‘ serve praise amongst men; when they
‘ were courted and feared by the greatest
‘ kings, and never assaulted by any but to
‘ his own loss and confusion; when Ba-
‘ bylon and Susa trembled at the motion
‘ of their arms; and their valour, exer-
‘ cised in those wars and tumults, which
‘ Sir Robert Filmer looks upon as the
‘ greatest evils, was raised to such a power,
‘ that nothing upon earth was found able
‘ to resist them: and I think it now mis-
‘ rable, when peace reigns within their
‘ empty walls, and the poor remains
‘ of those exhausted nations, sheltering
‘ themselves under the ruins of the deso-
‘ lated cities, have neither any thing that
‘ deserves to be disputed among them, nor
‘ spirit or force to repel the injuries they
daily

‘ daily suffer from a proud and insupportable master.’

‘ **T**HE like,’ proceeds this illustrious writer, ‘ may be said of Italy: while it was inhabited by nations governing themselves by their own will, they fell sometimes into domestic seditions, and had frequent wars with their neighbours. When they were free, they loved their country, and were always ready to fight in its defence. Such as succeeded well, increased in vigour and power; and even those that were the most unfortunate in one age, found means to repair their greatest losses, if their government continued. Whilst they had a property in their goods, they would not suffer the country to be invaded, since they knew they could have none, if it were lost. This gave occasion to wars and tumults;

but it sharpened their courage, kept up
a good discipline, and the nations that
were most exercised by them, always in-
creased in power and number; so that
no country seems ever to have been of
greater strength than Italy was, when
Hannibal invaded it: and, after his defeat,
the rest of the world was not able to
resist their valour and power. They
sometimes killed one another; but their
enemies never got any thing but burying
places within their territories. All things
are now brought into a very different
method by the blessed governments they
are under. The fatherly care of the king
of Spain, the pope, and other princes,
has established peace among them. We
have not in many ages heard of any se-
dition among the Latins, Sabines, Volsci,
Equi, Samnites, or others. The thin,
half-starved inhabitants of walls supported
by

' by ivy, fear neither popular tumults, nor
 ' foreign alarms ; and their sleep is only
 ' interrupted by hunger, the cries of their
 ' children, or the howling of wolves. In-
 ' stead of many turbulent contentious cities,
 ' they have a few scattered silent cottages ;
 ' and the fierceness of those nations is so
 ' tempered, that every rascally collector of
 ' taxes extorts without fear from every
 ' man, that which should be the nourish-
 ' ment of his family. And if any of those
 ' countries are free from that pernicious
 ' vermin, it is through the extremity of
 ' their poverty. Even in Rome, a man
 ' may be circumvented by the fraud of a
 ' priest, or poisoned by one who would
 ' have his estate, wife, whore, or child ;
 ' but nothing is done that looks like tu-
 ' mult or violence. The governors do as
 ' little fear Gracchus as Hannibal ; and in-
 ' stead of wearying their subjects in wars,

‘ they only seek, by perverted laws, corrupt judges, false witnesses, and vexatious suits, to cheat them of their money and inheritance. This is the best part of their condition. Where these arts are used, there are men, and they have something to lose; but for the most part the lands lie waste, and they who were formerly troubled with the disorders incident to populous cities, now enjoy the quiet and peaceable estate of a wilderness.’²⁴

‘ If they,’ says Mr. Locke, ‘ who say it lays a foundation for rebellion, mean that it may occasion civil wars, or intestine broils, to tell the people, that they are absolved from their obedience, when illegal attempts are made upon their li-

²⁴ Sydney’s Discourses concerning Government, ch. ii. §. 26.

‘ berties

' berties and properties, and may oppose
 ' the unlawful violence of those who were
 ' their magistrates, when they invade their
 ' properties contrary to the trust reposed in
 ' them; and that therefore this doctrine
 ' is not to be allowed, being so destructive
 ' to the peace of the world: they may as
 ' well say, upon the same ground, that
 ' honest men may not oppose robbers or
 ' pirates, because it may occasion disorder
 ' or bloodshed. If any mischief come in
 ' such cases, it is not to be charged upon
 ' him who defends his own right, but on
 ' him that invades his neighbour's. If the
 ' innocent honest man must quit all he has,
 ' for peace sake, to him who lays violent
 ' hands upon it, I desire it may be consi-
 ' dered, what a kind of peace there will be
 ' in the world, which consists only in vi-
 ' olence and rapine; and which is to be

“ maintained only for the benefit of robbers and oppressors ”²⁵ ”

IN his *Cui Bono*, the Dean endeavours to alarm Mons. Necker, to whom his pamphlet is addressed, with the apprehensions, lest the levelling, destructive principles of Locke, “ should be made the “ standard of the politics of France ” ”. He has discovered, that there is danger, that even the French ladies, who have acquired so much ascendancy over their husbands and admirers, may imbibe the dangerous principles of Mr. Locke; by which means, in time, a revolution may, possibly, be effected in that country, and a free government established. What a tremendous misfortune! and how much are the people of France obliged to Dr. Tucker, for these salutary cautions to Mons.

²⁵ Ch. xix. §. 228.

²⁶ *Cui Bono*, p. 21, 22.

Necker,

Necker, and for his laudable anxiety to perpetuate to them their present despotic government !

THE Dean, connecting together Mr. Locke's treatises on toleration and on civil government, asserts, that Mr. Locke ' extended those ideas, which were true only in what concerns religion, to matters of a mere civil nature, and even to the origin of civil government itself; as if there had been the same plea for liberty of conscience in disobeying the laws of one's country, as for not conforming to a church establishment, or an ecclesiastical institution ' ' But it is certain, that Mr. Locke never maintained that any man, in any country, had a right to disobey its laws. He asserts, on the contrary, that, " no man in civil society can be ex-

“ tempted from the laws of it ”.” Nor does it appear to have been the sentiment of Mr. Locke, that civil and religious rights were equally unalienable and indefeasable. It may, perhaps, be admitted, that there is some difference between civil and religious rights, and that a man may with less criminality sacrifice the former than the latter: and I know not that Mr. Locke has advanced any thing contrary to this opinion. But civil rights are certainly so far indefeasable, that no man can be deprived of them but by his own act. If a man may barter away his own liberty, (which, however, necessarily implies in it meanness and baseness of spirit) he can have no right to dispose of the liberties of others, or of those of his posterity. ‘ Though it may be supposed,’ says Dr. Priestley, ‘ that a body of people may be bound by a voluntary

' resignation of all their interests (which
 ' they have been so infatuated as to make)
 ' to a single person, or to a few, it can
 ' never be supposed that the resignation is
 ' obligatory to their posterity; because it
 ' is manifestly contrary to the good of the
 ' whole that it should be so'. But it is
 the less necessary to dwell much upon this
 subject, because Dean Tucker has not pro-
 duced a single passage from Mr. Locke,
 from which it appears that he considered
 civil and religious rights as equally inde-
 feasable.

Dr. TUCKER says, that Mr. Locke,
 and his followers, ' most strenuously in-
 sist, that every man, every individual of
 ' the human species, hath an unalienable
 ' right to chuse, or refuse, whether he will
 ' be a member of this, or that particular

²⁹ *Essay on the First Principles of Government*, p. 17.
 ' govern-

' government, or of none at all '^o ;' and the Dean seems to be much hurt at the idea, that the members of any political community should have a right to quit it when they please. It must be admitted, that, according to Mr. Locke's principles, men may separate themselves from any particular community which they dislike, or in which they conceive themselves to be aggrieved, and into which they did not voluntarily enter : and it is certainly much more for the interest and happiness of mankind that it should be so, than that every man should be chained to the spot, or confined to the country in which he was born, however unhappy his situation, or whatever oppressions he may labour under. If it be necessary for the happiness or prosperity of certain classes of any particular community, that other classes or individuals should

continue in that community, and with which they were originally connected, it is the business of that community to render the situation of such persons so desirable, as to induce them voluntarily to continue their connexion. But no man, or body of men, can have a natural right to compel others to continue in a situation in which they find themselves unhappy, and into which they did not voluntarily enter; or to prevent their removal to any other country, in which they believe they can enjoy a greater degree of felicity. An adherence to the natural rights of men in this respect may be attended with inconveniences to some particular communities: but it would be a much greater evil, and far more inconsistent with the interests of mankind at large, to have it established as a doctrine, that in whatever country a man should happen to be born, he should there be obliged

to

to continue, whatever hardships he might undergo, or whatever advantages he might obtain by a removal. As to the Dean's supposition, that, according to Mr. Locke's principles, a man may decline being subject to any government at all; this can only be, by his going to a country in which there is no government. For it is the clear and express doctrine of Mr. Locke, that while a man continues in any political society, he must be subject to the laws of that society ⁴¹.

As to the supposition, that men are under an obligation to live in the countries in which they were born, to submit to the same laws that their fathers did, and to be bound by their engagements, Mr. Locke very properly observes, that 'whatever engagements or promises any one has made

⁴¹ Vid. Locke on Government, B. II. §. 94, 119.

' for

' for himself, he is under the obligation of
 ' them, but cannot, by any compact what-
 ' soever, bind his children or posterity:
 ' for his son, when a man, being altogether
 ' as free as the father, any act of the father
 ' can no more give away the liberty of the
 ' son, than it can of any body else. He
 ' may indeed annex such conditions to the
 ' land he enjoyed, as a subject of any com-
 ' mon-wealth, as may oblige his son to be
 ' of that community, if he will enjoy those
 ' possessions which were his father's; be-
 ' cause that estate being his father's pro-
 ' perty, he may dispose, or settle it, as he
 ' pleases '1.' And again, ' Every man's
 ' children being by nature as free as him-
 ' self, or any of his ancestors ever were,
 ' may, whilst they are in that freedom,
 ' choose what society they will join them-
 ' selves to, what common-wealth they will

¹ Ibid. §. 116.

‘ put

put themselves under. But if they will enjoy the inheritance of their ancestors, they must take it on the same terms their ancestors had it, and submit to all the conditions annexed to such a possession ⁴³.

THE Dean observes, that 'every peaceable and useful subject has a right to the protection of the state under which he lives, in order to enjoy the fruits of his industry: and it would be an act of flagrant injustice to debar him of that protection, either in whole, or in part. But he cannot have the same just pretensions to demand to be created a magistrate or judge ⁴⁴.' It was never supposed by Mr. Locke, or any of his disciples, or by any body else, that every man had a right to demand to be a magistrate, or a judge. It is a very different thing to insist

on a right to be represented in the national assembly, in which laws are passed that are to bind every individual of the community, and to demand to be created a magistrate or a judge. But it is not unusual for Dr. Tucker, in the course of his book, to be employed in combating the monsters of his own imagination.

The Dean says, that, according to the system of Mr. Locke, 'neither the society which is called *natural*, nor that which is *political*, can exist at all, till there has been a previous contract entered into for the safety, and preservation of all parties.' And in another place he observes, that 'the Lockians have not yet vouchsafed to tell us, where any one single copy of this famous original contract is to be found, in what language

it was written, in whose hands deposited,
who were the witnesses, nor in what ar-
chives we are to search for it".

Mr. Locke has well explained the rea-
sons why we meet with few relations of
men's entering into society, or forming
governments, in the early ages of man-
kind. 'It is not at all,' he says, 'to be
wondered at, that history gives us but
a very little account of men, that lived
together in the state of nature. The
inconveniences of that condition, and
the love and want of society, no sooner
brought any number of them together,
but they presently united and incorpo-
rated, if they designed to continue toge-
ther. And if we may not suppose men
ever to have been in the state of nature,
because we hear not much of them in

such a state, we may as well suppose the armies of Salmanasser, or Xerxes, were never children, because we hear little of them, till they were men, and embodied in armies. Government is every where antecedent to records, and letters seldom come in amongst a people, till a long continuation of civil society has, by other more necessary arts, provided for their safety, ease, and plenty: and then they begin to look after the history of their founders, and search into their original, when they have out-lived the memory of it: for it is with commonwealths, as with particular persons, they are commonly ignorant of their own births, and infancies: and, if they know any thing of their original, they are beholden for it to the accidental records that others have kept of it⁴⁷.

⁴⁷ Locke, ut supra, §. 101.

IT is not necessary to examine any ancient records, in order to discover what is the true foundation of civil government. In inquiries on this subject, the principles of reason and of justice are our best guides; to these Mr. Locke has wisely had recourse; and on these his system is founded. As to Dr. Tucker's *Quasi Contract*, of which he seems so fond, and on which he descants so copiously, as if it were a new and important discovery, it seems to be nothing more than a new term, or rather a new application of an old term, and appropriating it to a very common idea. Dr. Priestley has delivered a sentiment somewhat similar, but more just and comprehensive, when he observed, "that it must necessarily be understood, whether it be expressed or not, that all people live in society for their mutual advantage; so that the good and happiness of the members,

bers, that is, the majority of the members of any state, is the great standard by which every thing relating to that state must be finally determined⁴³. Government, under every form, must be considered as a trust; but that must be the most just and legitimate government, which is founded on the universal consent of the people; and the more authentically that consent has been given and declared, the more firm and indisputable must be the foundations of that government.

The Dean inquires, "Whether that government is to be justly deemed an usurpation, which is not founded on the express mutual compact of all the parties interested therein, or belonging thereunto?" To this it may be answered,

⁴³ *Essay on the First Principles of Government*, p. 17. ⁴⁴ P. 4.

that as no government can be established on proper principles, which is not founded on the consent of the majority of the people; therefore, so far as any political constitution is otherwise founded, so far it is an usurpation. Notwithstanding this, a political constitution may have so many advantages, though its origin and foundation may not be precisely what they ought to be, that it may be very far from being, advisable to attempt to overturn it. In the present imperfect state of things, less evils must sometimes be submitted to, for the sake of avoiding greater. A wise man would not engage in a scheme to overturn any established system of government, without a probability of success, and without a probability of establishing a better system in its stead. When this can be done, when men's minds are sufficiently enlightened and enlarged, to concur in, and to effectuate such

such a measure, it would certainly be right, because the great interests of mankind would thereby be promoted. Nor could the partial interests of the ruling powers, in opposition to those of the community at large, be any sufficient reason for abstaining from such a measure, whenever there should be a rational prospect of success. The majority of the inhabitants of any country have a right to establish that mode of government, which they conceive to be best calculated to promote the common benefit⁵⁰: and any forcible attempts, by

⁵⁰ This tract was published some years before the late revolution in France. But I still entertain the same sentiments that I did then; and think, that no foreign powers had any right to interfere with respect to the internal government of that country. I am also of opinion, that many of the calamities, which have since taken place in France, may reasonably be attributed to the improper and unjust interference of foreign powers.

whatsoever made, to continue a form of government, which the majority of the people do not approve, or which they believe to be pernicious, can only be considered as unjust attempts to perpetuate an usurpation.

S E C T. III.

THE zeal, with which the Dean of Gloucester is animated, to overturn the system of Mr. Locke, and to oppose the principles of the assertors of the common rights of mankind, leads him to give an account of the condition, and manners of our ancestors, in the greatest degree humiliating and degrading. He feels no desire to maintain the honour of his country: but, to support his own political reveries, would represent the majority of the people of England as the descendants of the lowest and the meanest slaves. In his account of "England's former Gothic constitution,"

he

he speaks of the villains as the most numerous class of people in the kingdom; and asserts, that the "villains regardant" were "slaves in every sense;" and that "the villains in gross seem to have been on the same footing with the Negro slaves at present in the West Indies". He adds, that "villains, of any sort, were never considered as citizens at large, or as members of the state, but rather as goods and chattels of a superior kind, belonging to their respective owners or proprietors". He likewise represents the little traders and artificers as being regarded as the private property of their respective patrons and protectors, the king and the great barons".

It must be acknowledged, that the tenants in villenage were much oppressed;

" P. 302, 303. " P. 306. " P. 311.
that

that their situation and circumstances in many respects were very servile; and that the feudal institutions were not favourable to general liberty. But notwithstanding this, the representations of Dr. Tucker can by no means be admitted. It has been justly observed by Mr. Ibbetson, in the postscript to his valuable "Dissertation on the national assemblies under the Saxon and Norman governments," that Dean Tucker, "in attempting to debase the rights of the people, has exaggerated the oppressions of the feudal aristocracy;" and "unjustly degraded the tenants in socage to a state of villenage." But Sir Henry Spelman observes, from the antient book of St. Alban's, that *socmen* (or tenants in socage) signified *freemen* in the genuine sense of the word. Glanville also makes frequent mention of *free socmen*, and from what that author says relative to them,

them, it is plain, that their property and rights of inheritance were taken no less care of by the law in his time, than those of tenants by knight's service. Nay, in some points, it appears, that they had more liberty than their military tenants⁵⁴. But Dr. Tucker very unjustly, and contrary to fact, labours to degrade all the husbandmen of England, in those times, to a state of villenage; and ranks all the different denominations of men at that period, under the three classes of "slaves, mechanics, and "warriors";" or, as he expresses it in another place, "the villains, the tradesmen, and the gentlemen"⁵⁵.

WHAT the numbers were of those who were denominated *villains*⁵⁶, and who were in

⁵⁴ Lyttelton's History of Henry II. vol. IV. p. 185. edit. 8vo. 1769. ⁵⁵ P. 328. ⁵⁶ P. 302.

⁵⁷ The class of men termed *villains*, appear originally

in many respects excluded from the general benefit of the laws of the land, it is now difficult, if not impossible, to determine. It is, however, certain, that they must have been much less numerous, than they are re-

nally to have been captives taken in war, and their descendants. Lord Chief Justice Coke, speaking of the origin of villainage, observes, that "the condition of villains from freedom unto bondage, of antiquient time grew by constitution of nations, *fiunt* " *etiam servi liberi homines captivitate de jure gentium* : " and not by the law of nature, as from the time of " Noah's flood forward, in which time all things " were common to all, and free to all men alike; " and lived under the law natural; and by multiplication of people, and making proper and private " those things that were common, arose battles.— " And then it was ordained by constitution of nations, " that none should kill another, but that he that was " taken in battle should remain bond to his taker for " ever, and to do with him, and all that should come " of him, his will and pleasure." Institutes, part I. fol. 116, 117.

presented

presented to have been by Dr. Tucker.
 He says, ‘ There was hardly any kind of
 • laborious or servile work in all branches
 • of husbandry performed by any other
 • class of men ’.²² But the account of the
 general liberty, wealth, and prosperity, of
 the people of England, which is given by
 Lord Chief Justice Fortescue, who wrote
 in the reign of Henry VI. is extremely
 inconsistent with the supposition of the
 Dean, that the majority of the people were
 in a state of abject slavery. Speaking of
 the king, that great lawyer says, “ By his
 “ laws he may take away none of his
 “ subjects goods, without due satisfaction
 “ for the same. Neither doth the king
 “ there, either by himself, or by his
 “ servants and officers, levy upon his
 “ subjects tallages, subsidies, or any other
 “ burthens, or alter their laws, or make

“ new laws, without the express consent
“ and agreement of his whole realm in his
“ parliament. Wherefore every inhabitant
“ of the realm of England useth and en-
“ joyeth, at his pleasure, all the fruits that
“ his land or cattle beareth, with all the
“ profits and commodities, which, by his
“ own travail, or by the labour of others,
“ he gaineth by land or by water: not
“ hindered by the injury or wrong detain-
“ ment of any man; but that he shall be
“ allowed a reasonable recompence. And
“ hereby it cometh to pass, that the men
“ of that land are rich, having abundance of
“ gold and silver, and other things necessary
“ for the maintenance of man's life. They
“ drink no water, unless it be so, that some
“ for devotion, and upon a zeal of penance,
“ do abstain from other drink; they eat
“ plentifully of all kinds of flesh and fish;
“ they wear fine woollen cloth in all their
“ apparel;

" apparel; they have also abundance of
 " bed-coverings in their houses, and of
 " all other woollen stuff. They have
 " great store of all hustlements and imple-
 " ments of household. They are plenti-
 " fully furnished with all instruments of
 " husbandry, and all other things that are
 " requisite to the accomplishment of a
 " quiet and wealthy life, according to
 " their estates and degrees. Neither are
 " they sued in the law; but only before
 " ordinary judges, where by the laws of
 " the land they are justly intreated. Nei-
 " ther are they arrested or impleaded for
 " their moveables or possessions, or ar-
 " raigned for any offence criminal; be it
 " ever so great and enormous, but after
 " the laws of the land, and before the
 " judges aforesaid."

" De Laudibus Legum Anglie, fol. 84, 85, 86,
 edit. 1672.

THE

THE Dean informs his readers, that, antecedent to the æra of the crusades, the boroughs were "little nests of pedlars and artificers," and were "regarded as the private property of their respective patrons and protectors."¹ But Mr. Ib-
betson has shewn that this was not the case. He has proved, by quotations from our antient laws, that "the burgesses beneath the Saxon government were protected by charters, and indulged with ample privileges."² He adds, that "the customs of Borough English, so different from the Norman opinions, refer the creation of the boroughs to the Saxon age."³

Dr. Sullivan remarks, that there was always a natural bias in the law of England

¹ P. 310, 311.

² Ibbetson's Dissertation, p. 35. ³ Ibid. p. 44.

towards the equal liberty of mankind, and that it countenanced every attempt to abolish villainage⁶³, and to shake off the shackles of servitude: and upon this subject he gives the following quotation from judge Fortescue: *Ab homine, et pro via introduxit servitus, sed libertas a Deo hominis. induit ex naturæ; quare ipsa ab homine sublata semper redire gliscit, ut facit unum quod libertate naturali privatur*⁶⁴.

It appears somewhat curious, that it was a part of the common law of the kingdom, that no bastard could be a villain, unless he chose to rank himself in that class. Littleton says, " No bastard may be a villain unless he will acknowledge himself to be a villain in a court of record: for he is in law *quasi nullius filius*, because he cannot be heir to any." *Institutes of the Laws of England*, part I. p. 123. edit. 1656.

" Lectures on the Feudal and English laws, p. 254, 255.

JUDGE Blackstone observes, that, "when
 " tenure in villenage was abolished, by the
 " statute of Charles II. there was hardly a
 " pure villain left in the nation. For Sir
 " Thomas Smith testifies, that in all his
 " time, (and he was secretary to Edward
 " VI.) he never knew any villain in gross
 " throughout the realm^{as}: and the few
 " villains regardant, that were then re-
 " maining, were such only as had belonged
 " to bishops, monasteries, or other ecclesi-
 " astical corporations, in the preceding
 " times of popery. For he tells us, that

^{as} In the passage above referred to by Judge Black-
 stone, Sir Thomas Smith, speaking of *villains in gross*, and *villains regardant*, says, ' Neither of the one
 ' sort, or of the other, have we any number in Eng-
 ' land. And of the first, I never knew any in the
 ' realm in my time. Of the second, so few there be,
 ' that it is not almost worth the speaking; but our
 ' law doth acknowledge them in both those sorts.'

Commonwealth of England, p. 249. edit. 1640.

" the holy fathers, monks, and friars, had
 " in their confessions, and specially in their
 " extreme and deadly sickness, convinced the
 " laity how dangerous a practice it was, for
 " one Christian man to hold another in bond-
 " age: so that temporal men, by little and
 " little, by reason of that terror in their
 " consciences, were glad to manumit all their
 " villains "

" *Commentaries on the Laws of England, book II.*
 " *ed. vi. 4to. 1766.*

It appears from what follows in Blackstone, that
 some of the bishops, abbots, and priors, did not
 manumit their villains. Mr. Daines Barrington in-
 forms us, that in the year 1514, Henry VIII. manu-
 mitted two of his villains in the following form:
 " Whereas God created all men free, but after-
 " wards the laws and customs of nations subjected
 " some under the yoke of servitude, we think it pious
 " and meritorious with God to manumit Henry
 " Knight and John Herle," &c. *Observations on the*
Statutes, p. 193.

AFTER

AFTER all our inquiries upon this subject, it must be admitted, that, in the feudal times, great numbers of the human race were in a very servile state, and in a state in which they ought not to have been. But surely this is no reason why men should patiently submit, in a more civilized and enlightened age, to the tyranny and oppression of their rulers, or of any class of men whatever.

It is the great excellence of the maxims of government laid down by Mr. Locke, that they are not founded upon inquiries of a dark, and intricate, and disputable nature; but upon those great principles of reason, and of justice, the solidity of which is apparent at all times, and in every country; and which cannot be invalidated by the most authentic precedents of ancient tyranny. No length of

time can sanctify injustice or oppression, or confer upon any man, or upon any family, the right of trampling upon the liberties of their fellow creatures ; of depriving them of those means of comfortable subsistence which the great Author of nature has afforded them ; or of rendering them miserable, to gratify their own pride, ambition, or avarice.

DEAN Tucker appears to take great delight in giving the most dishonourable view that is possible of the character and manners of our ancestors. “ The old English boſ-
“ pitality,” says he, “ so much boasted of,
“ and so little understood, was for the most
“ part dedicated to the very purposes of re-
“ taining and feeding, in the great halls,
“ numbers of people, to be the general pests
“ of society, and a torment to each other ”.¹²

This surely is writing in the style of a mere party man, and not like a candid inquirer into truth, or into the real state of ancient manners. Many irregularities and disorders were certainly exhibited by our ancestors in the feudal times: but they were not, as might be presumed from the representation of Dr. Tucker, at least for the most part, a mere collection of robbers and barbarians.

Dr. Dean takes much pains to shew, that the barons, at the granting of Magna Charta, and other chieftains at different periods; who have opposed the tyranny of princes, and endeavoured to procure freedom for themselves, have yet had little inclination to extend it to their dependants⁶⁸. This may be admitted without much difficulty: but it will only prove, the necessity of introducing more enlarged principles of

⁶⁸ P. 155, 167.

liberty, and systems of government better adapted to secure the common rights of mankind, than have generally prevailed: and this is the very purpose for the promotion of which Mr. Locke's treatise concerning civil government was written.

As to the Dean's own system of government, for a *system* he calls it " , it seems so unworthy of that name, that one is somewhat astonished, that even he himself should suppose it to be deserving of that appellation. He styles it a " system of his own ;" but I confess, that I can find very little in this system, excepting his *Quasi Contract*, some observations on those propensities in human nature that are supposed to lead men to society and civil government, and some proposed regulations about the qualifications of candidates, and of voters for

" Preface to Part II.

members

members of parliament; which certainly make but a very meagre system of government, to say the best of it. Those observations contained in it which are new, are of little value; and those which are just, are not new, nor inconsistent with the system of Mr. Locke. The maxims of government, laid down by that celebrated writer, are calculated to promote the most important interests of human nature: but Dean Tucker's "True Basis of civil government" comprehends little but partial and local regulations, excepting some concessions, in which are included a few of the ideas and sentiments of Mr. Locke. The Dean has endeavoured to found his system upon "those principles in human nature, which may serve as a basis for any species of civil government to stand upon". Mr. Locke had certainly very

different views. He intended, by his treatise on government, to recommend those maxims of civil policy only, which should be consonant to reason and to justice, and favourable to general freedom, and to general happiness.

ONE great blemish, it seems, in Mr. Locke's system, and which gives much umbrage to the Dean of Gloucester, is, that it is inconsistent with the practice of impressing seamen. But it appears not very necessary to enter into a particular examination of what he has advanced on this head. The practice has been vindicated by great lawyers, as agreeable to the laws of this country, though this has been questioned upon strong and very just grounds. It can with no appearance of reason be defended upon principles of equity and of humanity; and the practice has been long thought

thought no inconsiderable disgrace to this free country. We may, therefore, without any reflection upon Mr. Locke, acknowledge it to be inconsistent with his system, however consonant it may be to that of Dean Tucker. To enter into a minute investigation of this subject would probably be tedious to the reader, and cannot be very requisite when we are treating of the general principles of civil government. As to the Dean's observation, that every part of Great Britain ought to be well cultivated, and fully settled, and his recommendation of numerous farm-houses, cottages, and villages ¹¹, all this may be readily acquiesced in by the warmest friend to Mr. Locke's system, and therefore requires no discussion here. Nor shall I make any objection to the Dean's remarks, in his treatise on government, and in his pamphlet

entitled *Cui Bono*, relative to the too great readiness with which nations engage in war against each other, as his sentiments on this subject are just and rational, and not unworthy the attention of the public.

MR. Locke has asserted, that " all men are by nature equal ; " and Dean Tucker on the contrary would maintain, that men are not equal, because " there is a prodigious variety even in the natural endowments, both of body and mind, belonging to the several individuals of the human species ". It is admitted, that some men are more strong, or more acute than others; that some possess a larger, and some a smaller portion, of corporeal, or of intellectual vigour. But it is the business of just government to prevent the powerful from oppressing the weak, and such as are

more acute from injuring those who have less quickness of perception, or strength of understanding. Mr. Locke acknowledges, that 'age or virtue may give men a just precedence; and that excellency of parts and merit may place others above the common level'²³. But this he justly considers as perfectly consistent with the equality, which all men are in, in respect of jurisdiction or dominion one over another; and that it affords no solid argument against 'that equal right, that every man hath, to his natural freedom, without being subjected to the will or authority of any other man'²⁴.

As I do not mean to enter into an examination of every passage in the Dean's book, I shall pass slightly over some of those objections, which appear too trifling to

²³ B. II. § 54.

²⁴ Id. ibid.

make

make any impression upon the mind, and which cannot merit a very formal answer. Among these may be reckoned his argument relative to the right of women to vote for representatives in parliament: for which he thinks Mr. Locke, if he had been consistent, should have made provisions. If Mr. Locke's general principles are admitted in other respects, it will not, probably, be thought any great objection by men of sense, nor give any great offence even to women of sense, that they are excused the trouble of attending in popular political assemblies, and that we have so much regard to the delicacy of the sex, and the weakness of their fibres, as to exclude them from the inconveniences that might possibly attend the tumult of a public election. They may, perhaps, not consider this as a greater hardship, than their being excluded from serving in the militia, or on juries,

or

or from acting as justices of the peace, or as constables.

The Dean enquires, whether the revolution can be justified, according to the principles of Mr. Locke⁷⁴? To which it may be answered, that it was certainly agreeable to one of his great principles, That the people have at all times a right to dethrone a tyrant: but if all his principles had been adhered to, the mode of effecting that measure would have been somewhat different. Mr. Locke rejoiced at the act of toleration, because he considered it as an augmentation of religious liberty, though, as appears from one of his letters to Limborch, he was convinced that it was defective. There can be no reason to doubt, but that his sentiments concerning the revolution were perfectly similar. He

rejoiced that a tyrant was dethroned, and that the crown was given to a prince, the avowed reason for whose elevation was, the maintenance of the rights of the people, and who laid himself under the most solemn obligation to defend and preserve those rights. From Mr. Locke's principles it cannot be doubted, but that he would have been better pleased, if the general rights of representation had been more attended to, and if the liberties of the people had been more cautiously guarded, and better secured, than they were, even at the period of the revolution. But the nation was not sufficiently enlightened, nor sufficiently united, to effectuate so desirable and so happy an event.

IN the course of his observations on the revolution, the Dean says, ' The convention-parliament never presumed to start the

the question, Whether there should be any government, or none at all. Probably because Mr. Locke's system, or rather the consequences of his system, had not then so far prevailed over the understanding of mankind, as to extinguish the feelings of common sense⁷⁶; It is no part of Mr. Locke's system, that government is unnecessary, nor is it any consequence from his system. Had he been a member of the convention-parliament himself, he would never have thought of starting any doubt upon the subject. He might have proposed doubts about the mode, and the form of government, and the principles upon which it should have been constituted; but he would not have debated for a moment whether government was necessary. The necessity of some form of civil government was no more questioned

⁷⁶ P. 72

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by Locke, than by Hooker; and their sentiments relative to this subject appear to have been extremely similar, notwithstanding the laboured attempts of Dr. Tucker to prove the contrary". "The feelings of "common sense must be extinguished" in Mr. Locke's readers, before they can be convinced, that he wrote his treatise on civil government, in order to prove that government itself was unnecessary.

THE civility and decency, with which Dr. Tucker thinks proper to treat Mr. Locke, and his followers, are not unworthy the attention of the readers of his performance. Of the "Lockians," as he quaintly terms the followers of Mr. Locke, he speaks with such a variety of reproach, as he may possibly imagine does some credit to his invention. The opinions of Mr.

" P. 400, 401, 402, 403, 404, 405, 406.

Locke

Locke himself he compliments with the appellations of “idle notions⁷⁸,” “strange notions⁷⁹,” “extravagant notions⁸⁰,” “dreadful notions⁸¹,” “absurd doctrines⁸²,” and “wild and visionary plans⁸³;” and various other similar and equally elegant flowers of speech; and he says, that his system is “one of the most mischievous, as well as ridiculous schemes, that ever disgraced the reasoning faculties of human nature⁸⁴.” But surely there is no ordinary degree of arrogance, in this mode of treating so truly respectable a writer as Mr. Locke. The Dean would, perhaps, not be perfectly pleased, if it were said of his book, that it is one of the most absurd performances “that ever disgraced the reasoning faculties of human na-

⁷⁸ P. 203. ⁷⁹ P. 76. ⁸⁰ P. 76. ⁸¹ P. 81.

⁸² Ibid. ⁸³ P. 214. ⁸⁴ P. 161.

"ture;" and yet this might certainly be said of it with abundantly more truth, than this, or any thing similar, can be said of the work, or of the sentiments, of Mr. Locke.

S E C T.

S E C T. IV.

TO animadvert upon every passage in Dr. Tucker's book, would be tedious and superfluous, and must be unnecessary in a vindication of the principles of Mr. Locke. For there are many observations in his work, which have no more connexion with the system of Locke, than with that of Filmer, or any other: and which, therefore, we may safely pass over in silence, or leave the Dean, and the most patient of his readers, to discuss at their leisure. As to his solemn observations upon the indefectibility of government²⁵, they are more calculated to excite

²⁵ P. 72, &c.

our visibility, than to lead us to any farther investigation of the subject. It is agreed on all hands, that any large bodies of men cannot live together without some mode of government; and, therefore, the Dean may be allowed to enjoy his idea of its indefectibility, without interruption.)

DR. Tucker has employed several pages of what he calls his "True Basis of civil government," in proposing some new regulations for ascertaining the qualifications of candidates for seats in parliament¹⁶; but these regulations would probably be productive of very little benefit, and the subject itself seems of much less importance than has been frequently apprehended. It may reasonably be questioned, whether any of our qualification laws have been of the least service to the constitution; and

whether it would not have been better, if the electors had been left more at large in their choice of representatives. It seems a limitation of the power of the electors, and perhaps an unnecessary one, to confine them, in their choice of their deputies, or representatives in parliament, to particular classes or descriptions of men. Property naturally carries weight with it; and men possessed of large fortunes are generally esteemed in full proportion to their merit. It will, therefore, seldom happen, that a man of inferior fortune will be preferred to one more wealthy, unless he be superior in point of abilities or integrity: and in such a case, the public will sustain no detriment. Our parliaments have certainly not become more incorrupt since the qualification laws took place. Men who would be corrupted with a small fortune, would perhaps be generally liable to corruption if

more wealthy. There are no bounds to the wants of luxury and of vanity. He whose fortune is large, and who can afford to live in a considerable style of expence, may yet be ambitious to excel his neighbour, who is somewhat more opulent, and whose mode of living is more splendid: and this desire may render him more corruptible, than a man of much inferior fortune, whose passions should be better regulated, and who should possess more independence of mind. It is manifest, that the possession of great wealth in a representative of the people is no certain security against corruption: for men of the most splendid fortunes have too frequently sold themselves to the minister, for a title, or a ribband.

IN small districts, electors have often found it very difficult, and sometimes impracticable,

practicable, to meet with a man to represent them in parliament, qualified as the law requires, and in whose abilities, public principles, and integrity, they could confide. In such a case, the community would not have been injured, if the laws had permitted them to send as their representative, or deputy, to parliament, a man whose fortune was not equal to what the present qualification laws require, but whose abilities were adequate to the trust, and of whose firmness and integrity they should be convinced. But the spirit of the present qualification laws naturally leads men to think, that, when a representative of the people is to be chosen, it is proper to address the electors in the words of Horace:

*O cives, cives, querenda pecunia priuata est,
Virtus post nummos.*

THAT

THAT able and upright senator, ANDREW MARVELL, could not have been chosen a member of parliament in the present age. His abilities and integrity, though the most important of all qualifications, and far more so than the thousand contiguous acres proposed by Dean Tucker, would not have been sufficient to prevent his exclusion. It may by many be supposed, that there would be some impropriety in men possessed of little fortune being frequently returned to parliament; but the people would not often return such persons to parliament, if there were no qualification laws; and it would probably seldom happen, unless in the case of eminent integrity or ability. Wealth, in a candidate, will almost invariably have the preference given it, if attended with any tolerable degree of capacity or virtue, real or imaginary: and where those qualifications are wanting,

wanting, that preference ought not to be given.

If it be supposed, that the qualification laws are necessary to keep out the needy dependants of the minister, experience proves, that this purpose is not answered by them. Whenever the minister wishes to bring a trusty agent into parliament, a man who will engage without blushing or hesitation in every service in which he may be employed, he finds little impediment from the qualification laws. He who holds the purse of the nation, can easily qualify the meanest of his creatures to represent a Cornish borough.

DEAN Tucker thinks proper frequently to speak in general terms of those as republicans, who adopt the principles of Mr. Locke¹⁷.

It is certainly no disgrace to any man to be a republican; and it is equally certain, that a man who embraces the opinions of Mr. Locke may be a republican. But the fact is, that the generality of those who have been zealous for Mr. Locke's principles in this country, have been warm friends to that mixed form of government which is established in Great Britain, and to the regal succession in the house of Hanover. They might wish for some improvements in the constitution, but they had no desire to establish a republic. Many of them thought, that the constitution of England was so excellently constructed, that its laws were so well adapted for securing the liberty of the subject, and the power of the prince so ascertained and limited, that it was preferable to any republic which had yet been constituted. They considered, however, the independance and incorruption of the house

house of commons, and the legal and constitutional restraints of the power of the crown, as necessary to the preservation of the constitution, and without which it ceased to be entitled to the encomiums that were bestowed upon it. They were so far republicans, that they thought the king was appointed for the people, and not the people for the king; and they considered the interest of the former, and the preservation of their liberties, as the first object of the constitution. They who suppose, that the mere will and pleasure of the king, or his personal interests, are to be preferred to the general welfare of the nation, are better fitted to be Persian slaves, than citizens of a free country.

It must, however, be acknowledged, that a bad regal administration has a natural tendency to increase the number of republicans.

republicans. If men find, that even under a mixed form of government, in which the power of the crown is restrained and limited by law, and under a family who have no claim to ascend the throne but what is founded on the rights of the people, those rights are still invaded, and the interests of the nation disregarded; if they find, that no legal restraints are a sufficient security against regal encroachments; that the mere will and pleasure of the prince, and the gratification of these, however pernicious in their object, either by the exertion of power, or by the influence of corruption, is the great business of administration; if they find, that the treasures of the nation are employed in corrupting the representatives of the people, and in the support of the most destructive measures; such a state of things will naturally lead men to speculate, and to inquire, whether a republic

public might not be constituted, better calculated to promote the great interests of the people, and superior to any monarchical form of government, however limited or restrained ¹⁸.

THE Dean admits, that if kings and magistrates, who are reputed God's vice-gerents, act contrary to their commission, and no longer conduct themselves as the ministers of God for good, they are not entitled to the obedience of the subject ¹⁹. He also maintains, that wisdom and goodness are such necessary qualifications for the exercise of government, that if they are notoriously wanting, a "sentence of de-

¹⁸ It is certain, that the number of republicans has been much increased, in the British dominions, since the time when this piece was first published. From what cause, or causes, this has arisen, I shall not here attempt to explain, or to investigate.

¹⁹ P. 420, 421.

" privation

"privation ought to be pronounced against
 " such unworthy governors, who forfeit
 " all pretensions to be continued in an of-
 " fice, the end and design of which they
 " manifestly pervert." These concep-
 tions and principles of the Dean are of so
 dangerous a tendency to the power and
 authority of princes, and lead to such mis-
 chievous inquiries, that he no longer ap-
 pears in the gentle guise of an advocate for
 universal peace and submission. Perhaps
 a cautious and prudent man may consider
 him as a preacher of sedition and revolt.
 If governments that are not wise and good
 may be overturned, there may be danger
 lest some of the first thrones in Europe
 should be shaken to their foundations.

But though the Dean admits that sub-
 jects have a right to oppose and to resist

their governors, he appears in another place to limit this right to "certain cases of extreme necessity". It would, however, be undoubtedly much better, to oppose the first beginnings of tyranny, by making every legal and constitutional stand against it, than to wait till it has arisen to such an height, that nothing but a civil war can prevent its establishment. It is a very absurd opinion, though it appears to be a very prevalent one, that the best method of securing property is to submit implicitly to the measures of government, without examining into their tendency, or considering their consequences. Property is never so secure as under a limited government: and that security always receives additional strength, from a vigilant attention in the governed, to keep those who are invested with power, within the limits

" P. 409.

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I

that

that the laws and the constitution have proscribed. For so intoxicating is the nature of power, that when those who are possessed of it are suffered to abuse it with impunity, they are apt to carry their encroachments on the rights of the people to such an height, as eventually to bring on that civil war, the dread of which had occasioned a mean and servile acquiescence in their first advances towards tyranny. Had the unconstitutional measures of Charles I. been vigorously opposed, in the earlier part of his reign, by the generality of men of large property throughout the kingdom, it is not probable that a civil war would have taken place, or the king have lost his head upon a scaffold. But the acquiescence of so many of the rich and opulent encouraged him to prosecute his arbitrary schemes, till he involved the nation in all the calamities

mities of civil war, and deservedly brought on his own destruction.

DEAN Tucker observes, in the preface to the second part of his book, that he "imagines, that he has confuted the Lockian system in the foregoing part of his work :" and adds, that "he is supported in this opinion by the judgment of many persons, not only distinguished for their learning and good sense, but also for their zealous attachment to the civil and religious liberties of their country." It might be hardly consistent with the rules of good breeding, to be too inquisitive concerning the names of the Dean's friends and acquaintance : but, otherwise, it might afford some amusement to the literary and philosophical world, to be made acquainted who these new converts to the Tuckerian system are.

THE Dean has urged a variety of arguments in order to prove, that the republics of Sparta, of Athens, and of Rome, are improper models for a commercial state to copy after²². These arguments I shall not attempt to controvert. The modes of government established in all these republics had very considerable defects: nor was any one of them founded upon principles equally just, and liberal, and rational, with those recommended by Mr. Locke. Neither shall I enter into a minute examination of the Dean's scriptural observations concerning government. They do not appear to me to be of any great weight in the present argument. Nothing can be more irrational, than to suppose, that Christianity, which teaches the natural equality of all mankind, and which commands them to consider each other as brethren, should fa-

²² P. 218, 220, 226.

your the principles of a despotic government. But I agree with Dr. Tucker, that it does not teach us at what degree of tyranny an active opposition is to commence. It leaves men to their natural feelings upon that subject. It was not the design of the gospel to teach the principles of civil government. It had higher objects in view, with which an attention to this subject would have interfered. It was intended to lead men to a nobler and more elevated state of existence, to teach them to disregard temporal inconveniences and evils of every kind, when placed in competition with the concerns of an eternal world; and, therefore, passed over the regulation of civil communities, as a matter of inferior consideration. But no just inference can be drawn from hence in favour of tyranny, or a servile submission to it, when there is any rational probability of

opposing it with success, and of establishing a system of government more equitable, and better suited to answer the purposes for which men enter into society.

SECT.

S E C T. V.

WHEN a man of enlarged and liberal views contemplates the actual state of the world, and considers how many nations of it are rendered unhappy by the wretched despotism under which they labour, he cannot but regard him as a benefactor to mankind, who endeavours to disseminate among his fellow creatures those sentiments of just and equal liberty, which are calculated to promote the dignity and felicity of human beings. Such sentiments, and such views as these, have deservedly given a very high reputation to the writings of Mr. LOCKE; and have endeared his name to those, who

wished to see their species emancipated from the shackles of tyranny, by whomsoever they might be imposed. His treatise concerning government was not written to answer the purposes of any temporary faction, but to promote the great interests of public freedom. It is the production of an enlightened and vigorous understanding, under the influence of a generous attachment to the rights of human nature.

THAT governments, at least of any extent, have not actually been constituted in conformity to the principles of Mr. Locke, may be acknowledged, and yet it will by no means follow, that his principles are not just. The science of civil government, as well as other sciences, has been, at many periods, in a very imperfect state. A just system of civil government must, from the very nature of it, be the result of much experience

experience and political wisdom. It could not, therefore, be rationally expected, that such a system would be early established amongst mankind. But when just principles of government are discovered, it must be highly irrational to reject them, because they were not discovered earlier, or because the several nations of the world have generally been governed by very different maxims. Improvements are desirable in the science of politics, as well as in other sciences: and that system which will promote the happiness of the greatest number of individuals, appears to have a just claim to be considered as the best system.

MR. LOCKE's Treatise on Government was calculated to increase the liberty of mankind, and to place them in a situation of greater dignity and felicity, than had been afforded them by the various systems
of

of tyranny and oppression, which have taken place, under the name of government, in the different ages and nations of the world. The great aim of Dean Tucker's book seems to be, to support ancient systems because they are so, to furnish arguments for perpetuating different kinds of oppression, though not absolute tyranny, and to discourage those noble attempts after a more perfect system of civil policy, which the extension of knowledge, and of science, might give men just reason to hope for, and to expect. Mr. Locke is a clear, rational, consistent writer; but Dr. Tucker has taken abundant pains to involve him in darkness and obscurity; and to draw imaginary consequences from his propositions, which cannot by any just reasoning be deducible from them, and of which Mr. Locke appears not to have had the most distant conception.

It is the doctrine of Mr. Locke, that all legitimate government is derived from the consent of the people; that men are naturally equal, and that no one has a right to injure another in his life, health, liberty, or possessions; and that no man in civil society ought to be subject to the arbitrary will of others, but only to known and established laws, made by general consent for the common benefit²². That no taxes are to be levied on the people, without the consent of the majority, given by themselves, or by their deputies. That the ruling power ought to govern by declared and received laws, and not by extempory dictates, and undetermined resolutions;

²² Harrington says, that 'Government is an art whereby a civil society of men is instituted and preserved upon the foundation of common right or interest; or (to follow Aristotle and Livy) it is the empire of laws, and not of men.' *Oceana*, p. 2.

That

That kings and princes, magistrates and rulers of every class, have no just authority but what is delegated to them by the people ; and which, when not employed for their benefit, the people have always a right to resume, in whatever hands it may be placed. ‘ Whoever in authority,’ says he, ‘ exceeds the power given him by the law, and makes use of the force he has under his command, to compass that upon the subject which the law allows not, ceases in that to be a magistrate ; and, acting without authority, may be opposed, as any other man, who by force invades the right of another.—The exceeding the bounds of authority is no more a right in a great, than in a petty officer ; no more justifiable in a king than a constable ; but is so much the worse in him, in that he has more trust put in him, has already a much greater share than

than the rest of his brethren, and is supposed, from the advantages of his education, employment, and counsellors, to be more knowing in the measures of right and wrong⁴.'

MR. LOCKE did not recommend either a monarchical, or a republican, form of government; but considered the people as having an incontestible right to choose that mode of government, whatever it might be, which they conceived to be most conducive to their interest and happiness. It was, however, his opinion, that, in a monarchical form of government, the power of the prince should be exactly limited and ascertained⁵, and not rendered more extensive

⁴ §. 202.

⁵ Buchanan, treating of government, and speaking, in general terms, of the person invested with the

tentive than was necessary to enable him to discharge properly the duties of his office. He observes, that, " They have a very wrong notion of government, who say, " that the people have encroached upon the prerogative, when they have got any part of it to be defined by positive laws : " for in so doing they have not pulled from

the regal office, and of the necessity of limiting royal prerogative by law, says, " *Quoniam adversus animi affectiones quæ possunt et plerumque solent avertere a vero re satis firmus sit timemus, legem ei velut collegam, aut potius moderatricem libidinum adzieiemus.*" — " *Nam cum non solum regem, sed etiam hominem esse memini, multa propter ignorantiam errantem, multa sponte peccantem, multa propter invitum : quippe animal ad omnem favoris et odii auram facile mutabile. Quod vitiam naturæ magistratus augera etiam solet : adeo ut hic potissimum sententiam illam ex somedia veram esse comperiam, Omnes licentia deteriores fieri. Quanobrem legem ei adiungendam censuerunt homines prudentissimi, quæ vel ignorantis viam offendat, vel aberrantem in viam reducat.*" De Jure Regni apud Scotos, p. 18, 19. edit. 4to. 1580.

the

the prince any thing that of right belonged to him, but only declared, that that power which they indefinitely left in his, or his ancestor's hands, to be exercised for their good, was not a thing which they intended him when he used it otherwise: for the end of government being the good of the community, whatsoever alterations are made in it, tending to that end, cannot be an encroachment upon any body, since nobody in government can have a right tending to any other end: and those only are encroachments, which prejudice or hinder the public good".

MR. LOCKE defines tyranny in the following terms: "Tyranny is the exercise of power beyond right, which nobody can have a right to. And this is making

use of the power any one has in his
 hands, not for the good of those who are
 under it, but for his own private sepa-
 rate advantage. When the governor,
 however entitled, makes not the law,
 but his will, the rule; and his com-
 mands and actions are not directed to the
 preservation of the properties of the
 people, but the satisfaction of his own
 ambition, revenge, covetousness, or any
 other irregular passion ⁹⁷.—“ Whosoever
 uses force without right, as every one
 does in society, who does it without
 law, puts himself into a state of war
 with those against whom he so uses it;
 and in that state all former ties are can-
 celled, all other rights cease, and every
 one has a right to defend himself, and
 to resist the aggressor ⁹⁸. ”

The doctrines of Mr. Locke concerning government, are not only calculated to prevent regal tyranny, but also any abuses of the legislative power, or violations of the trust reposed in the representatives of the people by their constituents. He observes, that ' though the legislative, whether placed in one or more, whether it be always in being, or only by intervals, though it be the supreme power in every commonwealth, yet it is not, nor can possibly be, absolutely arbitrary over the lives and fortunes of the people: for it being but the joint power of every member of the society given up to that person, or assembly, which is legislator; it can be no more than those persons had in a state of nature, before they entered into society, and gave up to the community: for nobody can transfer to another more power than he has in himself: and

‘ nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another’.⁹⁹ The legislative power, ‘ in the utmost bounds of it, is limited to the public good of the society. It is a power, that hath no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects’.¹⁰⁰

‘ THE legislative being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, whenever they find the legislative act contrary to the trust reposed in them: for all power, given with trust for the attaining an end, being limited by that end, whenever that end is manifestly neglected, or op-

posed, the trust must necessarily be forfeited, and the power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. And thus the community perpetually retains a supreme power of saving themselves from the attempts and designs of any body, even of their legislators, whenever they shall be so foolish, or so wicked, as to lay and carry on designs against the liberties and properties of the subject: for no man, or society of men, having a power to deliver up their preservation, or consequently the means of it, to the absolute will and arbitrary dominion of another; whenever any one shall go about to bring them into such a slavish condition, they will always have a right to preserve, what they have not a power to part with; and to rid themselves of those, who

“ who invade this fundamental, sacred, and
unalterable law of self-preservation, for
which they entered into society ”.

“ The legislative acts against the trust
reposed in them, when they endeavour
to invade the property of the subject, and
to make themselves, or any part of the
community, masters, or arbitrary disposers
of the lives, liberties, or fortunes of the
people. The reason why men enter into
society, is the preservation of their pro-
perty, and the end why they choose and
authorize a legislative, is, that there may
be laws made, and rules set, as guards
and fences to the properties of all the
members of the society, to limit the
power, and moderate the dominion, of
every part and member of the society :
for since it can never be supposed to be

the will of the society, that the legislative should have a power to destroy that which every one designs to secure, by entering into society, and for which the people submitted themselves to legislators of their own making; whenever the legislators endeavour to take away, and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war, with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge, which God hath provided for all men against force and violence¹⁰²."

MR. LOCKE also expresses himself with great clearness and propriety on the case of the parliament being corrupted by the prince. He says, "What I have said con-

¹⁰² §. 221, 222.

concerning the legislative in general, holds
 true also concerning the supreme ex-
 ecuter, who having a double trust put in
 him, both to have a part in the legislative,
 and the supreme execution of the law,
 acts against both, when he goes about to
 set up his own arbitrary will as the law
 of the society. He acts also contrary to
 his trust, when he either employs the
 force, treasure, and offices of the society,
 to corrupt the representatives, and gain
 them to his purposes : or openly pre-en-
 gages the electors, and prescribes to their
 choice, such whom he has, by solici-
 tations, threats, promises, or otherwise,
 won to his designs ; and employs them
 to bring in such, who have promised be-
 forehand what to vote, and what to enact,
 Thus to regulate candidates and electors,
 and new-model the ways of election,
 what is it but to cut up the government

by

by the roots, and poison the very foundation of public security? for the people having reserved to themselves the choice of their representatives, as the fence to their properties, could do it for no other end, but that they might always be freely chosen, and so chosen, freely act and advise, as the necessity of the common-wealth, and the public good should, upon examination, and mature debates, be judged to require. This, those who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this, and endeavour to set up the declared abettors of his own will, for the true representatives of the people, and the law-makers of the society, is certainly as great a breach of trust, and as perfect a declaration of a design to

• subvert the government, as is possible
 • to be met with ¹⁰³."

• PERHAPS it will be said, that the
 • people being ignorant, and always dis-
 • contented, to lay the foundation of go-
 • vernment in the unsteady opinion, and
 • uncertain humour of the people, is to
 • expose it to certain ruin; and no govern-
 • ment will be able long to subsist, if the
 • people may set up a new legislative;
 • whenever they take offence at the old
 • one. To this I answer, quite the con-
 • trary. People are not so easily got out
 • of their old forms, as some are apt to
 • suggest. They are hardly to be pre-
 • vailed with to amend the acknowledged
 • faults in the frame they have been ac-
 • customed to. And if there be any ori-
 • ginal defects, or adventitious ones, in-

‘ introduced by time, or corruption, it is
 ‘ not an easy thing to get them changed;
 ‘ even when all the world sees there is an
 ‘ opportunity for it ’¹⁰⁴ ’

‘ REVOLUTIONS happen not upon every
 ‘ little mismanagement in public affairs.
 ‘ Great mistakes in the ruling part, many
 ‘ wrong and inconvenient laws, and all
 ‘ the lapses of human frailty, will be borne
 ‘ by the people without mutiny or mur-
 ‘ mur. But if a long train of abuses,
 ‘ prevarications, and artifices, all tending
 ‘ the same way, make the design visible to
 ‘ the people, and they cannot but feel
 ‘ what they lie under, and see whither
 ‘ they are going; it is not to be won-
 ‘ dered, that they should then rouse them-
 ‘ selves, and endeavour to put the rule
 ‘ into such hands as may secure to them ’

the ends for which government was at first erected ; and without which, ancient names, and specious forms, are so far from being better, that they are much worse, than the state of nature, or pure anarchy ; the inconveniences being all as great and as near, but the remedy farther off, and more difficult ^{to} ¹⁰³ .

THE doctrine of a power in the people of providing for their safety a-new, by a new legislative, when their legislators have acted contrary to their trust, by invading their property, is the best fence against rebellion, and the probablest means to hinder it : for rebellion being an opposition, not to persons, but authority, which is founded only in the constitutions and laws of the government ; those, whoever they be, who

' by force break through, and by force
 ' justify their violation of them, are truly
 ' and properly rebels: which they who
 ' are in power, (by the pretence they have
 ' to authority, the temptation of force they
 ' have in their hands, and the flattery of
 ' those about them) being likeliest to do;
 ' the properest way to prevent the evil, is
 ' to shew them the danger and injustice of
 ' it, who are under the greatest temp-
 ' tation to run into it ¹⁰⁶.' 'The end of
 ' government is the good of mankind; and
 ' which is best for mankind, that the people
 ' should be always exposed to the bound-
 ' less will of tyranny, or that the rulers
 ' should be sometimes liable to be opposed;
 ' when they grow exorbitant in the use
 ' of their power, and employ it for the
 ' destruction, and not the preservation of
 ' the properties of the people ¹⁰⁷ ?'

THE principles of government laid down by Mr. Locke, though founded upon the strongest reason, and upon universal justice, may sometimes be thought to strike so much at the abuses of men in authority; even those of the most elevated rank, and may lead to such vigorous exertions for the abolition of tyranny, by whomsoever exercised, or in whatsoever mode, as may excite some tremulous apprehensions in men of narrow views, and of weak and timid minds. But those who have sufficient strength of understanding, and comprehension of thought, to take into their views the more enlarged interests of humanity, and the great accession of general happiness, which wise and equitable systems of civil policy and government might introduce amongst mankind, will consider the writings of Mr. Locke as having a just claim to be classed amongst the most valuable productions

ductions of modern times, and will ever regard their author, as an ornament and an honour to the country which gave him birth.

Mr. LOCKE was rendered truly illustrious by his wisdom and his virtue, by the disinterestedness and uprightness of his conduct, by his love of truth, and by his ardent attachment to the great interests of mankind. He analysed the human mind, explained its operations, and illuminated the intellectual world by the sagacity of his researches. He examined into the foundation of civil government, traced it to its true source, and illustrated and enforced its genuine principles. He maintained the justice, the reasonableness, and the necessity of religious toleration, with a clearness, a precision, and a force of argument, that had not been equalled by any

preced-

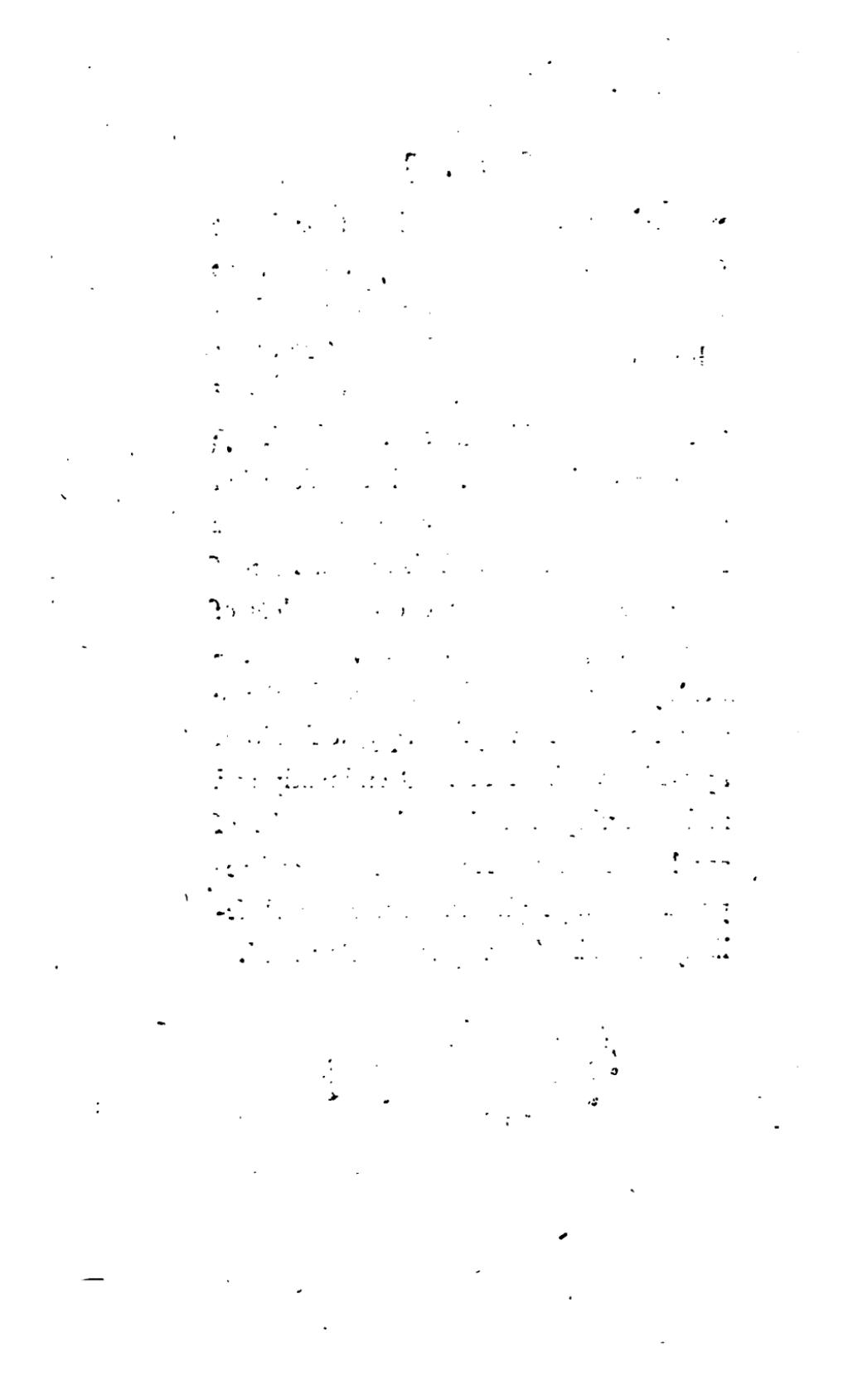
preceding writer. He laboured to elucidate the sacred scriptures, to advance the interests of revelation and of virtue, to loosen the bands of tyranny, and to promote the cause of liberty, of justice, and of humanity. Such was the man, whose character as a writer the Dean of Gloucester has laboured to degrade, whose sentiments he has misrepresented, and whose opinions he flatters himself that he has confuted. But these efforts are fruitless, and these imaginations are vain. The sentiments of Mr. LOCKE are founded upon reason, truth, and justice; and his name will continue to be reverenced, wherever learning, liberty, and virtue, shall be held in estimation.

WHATEVER propensity there may be in some others, as well as in Dr. Tucker, to speak disrespectfully of the political sentiments of Mr. LOCKE, it is certain, that it

was

was to such principles as his, though not carried to their full extent, that we were indebted for the revolution. It was from an adherence to such principles that Great Britain derived that dignity, and fame, and splendour, by which, since that period, she has been distinguished. It is to a desertion of these principles, that we owe our present national degradation. It is to a desertion of these principles, that we owe the loss of America. And if these principles are generally neglected and disregarded by the people of this country, that public freedom, by which we have been so eminently and so honourably characterized, cannot be of any long continuance ; our dignity and reputation as a people, and our national felicity, must be drawing towards a period.





A
L E T T E R

TO

Dr. SAMUEL JOHNSON:
OCCASIONED BY
HIS LATE POLITICAL PUBLICATIONS.

WITH AN

A P P E N D I X,

CONTAINING

SOME OBSERVATIONS ON A PAMPHLET LATELY
PUBLISHED BY DR. SHEBBEARE.

*"Here let those reign, whom PENSIONS can incite
" To vote a PATRIOT black, a COURTIER white;
" Explain their country's dear-bought rights away,
" And plead for pirates in the face of Day;
" With SLAVISH sneeze twist our poison'd youth,
" And lend a LYRE the confidence of TRUTH."*

JOHNSON

[FIRST PUBLISHED IN THE YEAR 1775.]

VOL. I.

L

[MR. BOSWELL, in his life of DR. JOHNSON, speaking of his political pamphlets, says, they drew upon him numerous attacks. Against the common weapons of literary warfare he was hardened; but there were two instances of animadversion which I communicated to him, and from what I could judge, both from his silence and his looks, appeared to me to impress him much. One was, "A Letter to Dr. SAMUEL JOHNSON, occasioned by his late political publications." It appeared previous to his "Taxation no Tyranny," and was written by Dr. JOSEPH TOWERS. In that performance Dr. JOHNSON was treated with the respect due to so eminent a man, while his conduct as a political writer was boldly and pointedly arraigned. The other attack against Dr. Johnson, referred to by Mr. Boswell, was contained in a private letter to that gentleman, written by the Rev. Mr. TEMPLE, vicar of St. Gluvias, Cornwall. *Life of Dr. Johnson*, Vol. II. p. 290, 201, 202. Edit. 8vo. 1793.]



A

L E T T E R
TO
Dr. SAMUEL JOHNSON.

SIR,



HEN a man, who has rendered himself eminent by his productions in morals, and in polite literature, engages in political contentions, and in those which are apprehended to be of great national importance, it may reasonably

L 2 ably

ably be expected of such a writer, that he should distinguish himself not by party violence and rancour, but by moderation and by wisdom: and that at least he should not wholly lose sight of that liberality of sentiment, which should characterize the scholar; nor of that decency and politeness, which should adorn the gentleman. But, unhappily, your political productions have been chiefly remarkable for bitterness of invective, unjust and uncandid representations, the most bigotted prejudices against them whom you oppose, and the highest strains of contemptuous insolence. You have written in a manner which must degrade you in the judgment of the impartial public, in a manner utterly unworthy of a great, or liberal, or philosophic mind; and for which even your being a royal pensioner cannot apologize.

WHEN

WHEN I first heard, that a pension had been conferred upon you by those in power, I hoped, that it might have been given as the reward of merit. I knew that your literary labours, your elaborate Dictionary, and other works, in which you had displayed great force of genius, extensive knowledge, and uncommon powers of language, had given you a just claim to public support and encouragement. I thought it not impossible, that those by whom your pension was procured, might have been satisfied with rewarding your ingenuity, without imposing any services on you unworthy of your character. But the use that has been since made of you, renders it sufficiently apparent, that a pension was conferred on you with other views. It now seems probable, that your known Jacobitical principles, which, however strange it may be thought, appear now to be in high esti-

mation at court, were among your chief recommendations; and that it was this, added to the hope of employing you in the service of your new masters, which really occasioned your being placed in the list of royal pensioners.

IT has been said, that few men are capable of bearing prosperity well; and if receiving a pension may be considered as a species of prosperity, it appears sufficiently evident, that this has not had a favourable effect either upon your head, or upon your heart. Not one truly valuable piece has issued from your pen, since you received the royal bounty*. From that time, your native pride and arrogance appear to have

* Dr. Johnson's Lives of the Poets were not written, nor even commenced, when this Letter to him was first published. He first engaged in that Work in the year 1777.

been

been augmented; and your latter pieces are far from breathing that virtuous spirit, by which your former writings were generally distinguished. Instead of employing your talents in the service of the republic of letters, and in benefitting mankind, you are now dwindled into the rancorous writer of a party; and produce only such performances as the "False Alarm," the "Thoughts on the transactions respecting Falkland's Islands," and "the Patriot."

DURING the last reign, you were generally considered as one of the most bigotted Jacobites in the kingdom. It is commonly said, that you scarcely ever spoke of the family on the throne with any degree of temper or decency; and you not unfrequently exhibited in your writings your aversion to the government. It was then a subject of your most pathetic complaints,

that England was OPPRESSED WITH EX-
CISE¹, that it was a CHEATED and a
GROANING NATION, and a BEGGAR'D
LAND². We were then cursed with a
PENSIONED BAND, and with HIRELING
SENATORS; and it was a “thoughtless age
“ lull'd to SERVITUDE³.”

You then wished for those happy days
of old, when justice was uprightly and im-
partially administered. You sighed for the
age of Alfred, because, as you inform us,

*Fair Justice then, without constraint ador'd,
Held high the steady scale, but desp' d the sword;
No SPIES were paid, no SPECIAL JURIES known,
Blest Age! but ah! how diff'rent from our own!*⁴.

¹ Vid. London, a Poem, in imitation of the third satire of Juvenal, published in Dodoley's Miscellanies, vol. I. p. 188.

² London, ut supra, p. 189, 191, 196.

³ Ibid. p. 189, 196, 197.

⁴ Id. Ibid.

But

But whatever evils the nation suffered from an iniquitous government in the last reign, they are, it seems, happily removed in the present; so that you can now discover nothing to complain of, but the turbulence and wickedness of the popular party.

As this country was so much oppressed, and laboured under such a variety of evils, in the reign of George the Second, it may amuse a speculative man to enquire, by what means so happy a revolution in public affairs has been effectuated in the reign of George the Third. Are our taxes lessened? No. Is the nation freed from ~~excise~~? No. Are the rights of the subject more religiously preserved? No. Is justice more impartially administered in our courts of law? No. Are ~~SPECIAL JURIES~~ less frequent? No. Has the commerce of the nation been increased, and its interests better

better attended to? No. Are our parliaments more incorrupt, and less under the influence of the court? No. What is it then that has so wonderfully changed the face of public affairs, as entirely to reconcile the author of the RAMBLER to the government? The whole may be answered in one short sentence. The grievances of the kingdom are removed; the nation is no more in a groaning or a sinking state; for DR. SAMUEL JOHNSON HAS A PENSION. It follows as a necessary consequence, that wisdom presides over our councils, that all complaints against the administration must be unjust and unseasonable, and that we have the happiness to possess "a government approaching nearer to perfection, than any that experience has known, or history related."

• False Alarm, p. 45.

Yos

You have observed, *False Alarm*, p. 28. that “the acceptance of a PLACE contaminates no character;” and you have probably the same ideas of the acceptance of a PENSION. But surely the characters of those men are contaminated, who are induced by a place, to sacrifice the rights of their country; or, by a pension, to write in defence of measures that are oppressive and iniquitous. As to your engaging in vindication of an arbitrary administration, for the allowance ought, perhaps, to be made, for that attachment to despotic principles which you early imbibed, and by which you have so often distinguished yourself. That bigotry which could lead you to celebrate, in the highest strains of panegyric, that most eminent high-church saint, archbishop LAUD, and that zeal in favour of tyranny, which could induce you to deplore the death of

the

the earl of STRAFFORD⁷, may perhaps be pleaded in extenuation of your conduct. And as you appear to have been always disposed to justify the tyranny of the Stuarts, you were already half prepared to defend despotic proceedings under a prince of another family. Though your Jacobitical prejudices gave you a predilection in favour of the Stuarts, yet it might somewhat reconcile you to the government of the House of Hanover, if you had reason to believe, that principles were now adopted at court, similar to those of that family, whose attempts to enslave the nation had been the just cause of their expulsion from the throne. But whatever allowances may be made to you on this account, you are still extremely

⁷ Vid. the *Vanity of Human Wishes*, a Poem, by Samuel Johnson, printed in the 3d volume of Dodstey's Collection of Poems, and also in the 2d volume of *Miscellanies and Fugitive Pieces* published by Davies.

sensurable for those notorious fallacies and misrepresentations, and that gross scurrility, with which your late political productions so much abound.

As a specimen of the moderation and civility, with which you have expressed yourself concerning the party whom you oppose, I shall collect a few of the rhetorical flowers, and polite phrases, which are scattered throughout your political pieces in such bountiful profusion. Of JUNIUS you say, that *he burst into notice with a blaze of impudence*; and of Mr. WILKES, that he was “a varlet driven out of the House “with public infamy.” The popular party are styled by you a “despicable faction,” “bellowers of sedition,” “ruffians who “would gain power by mischief and confu-“sion,” and “those who having fixed their “hopes on public calamities, sit like vul-

“ tures

" *tyrants waiting for a day of carnage?*" You
 also say, " Of this faction what evil may not
 " be credited? They have hitherto shown
 " no virtue, and very little wit, beyond
 " that mischievous cunning, for which
 " it is held by Halo," that " *children may*
 " *be hanged.*" — You have also discovered,
 that they are more wicked than the Devil
 — " *As they have not the wit of Satan, they*
 " *have not his virtue.*" — " Their hope is
 " *malice, and their good is evil.*"
 And you likewise complain of " the howl
 " *of Pickwickian patriotism,*" and " the howl-
 " *ing violence of patriotic rage.*"

Is this the language of a man whose un-
 derstanding has been refined by literature?
 Is this the language of a scholar, a gentle-

* *Thoughts on the Transactions respecting Falk-
 land's Islands, p. 41, 70, 71, &c. Vid. also the False
 Alarm.*

man,

man, or a philosopher? In the heat of a political controversy, such scurrility might not have been wondered at in low and vulgar minds; but surely something better might have been justly expected from a teacher of morals, and a professed improver of our language. Nor do the terms, in which you have expressed yourself of them whom you oppose, convey a very favourable idea of your heart. The utmost stretch of candour cannot lead any man to suppose, that you believe one half of the evil that you have said of the popular party. You must be the most prejudiced man in the kingdom if you do; and if you do not, have you any right to be considered as a man of principle, or probity?

Such is your rancour against all who have engaged in any opposition to the court, that you cannot express yourself with decency

cency even of the Earl of CHATHAM. The eloquence of that illustrious nobleman, who is unquestionably one of the greatest ornaments of his age and country, is described by you under the contemptuous appellation of **FEUDAL GABBLE**⁹; and you observe, that it will be happy for him, “ if the nation shall at last dismiss him to nameless obscurity.” But however highly you may estimate your own talents, be assured, that you will be extremely fortunate in this respect, if your fame should be as lasting as that of the Earl of CHATHAM, whose name will be mentioned with distinguished honour in the annals of this country, so long as any records of it shall be preserved.

THE people are frequently honoured by you with the polite appellation of **THE RAB-**

9. *Thoughts on the Transactions respecting Falkland's Islands*, p. 37.

else; and the citizens of London, and the freeholders of Middlesex, are also spoken of by you with similar contempt. They have been both active in the opposition to the court, and must therefore experience the effects of your loyal indignation. The inhabitants of London, have, indeed, long been under obligations to you, for the gentle terms in which you have spoken of their city. It was thus described by you many years since:

*LONDON, the needy villain's general boms,
The common sewer of Paris and of Rome.*

THE freeholders of Middlesex have also the honour to be thus distinguished by you: "Mr. WILKES, and the freeholders of Middlesex, might all sink into non-existence, without any other effect, than that there would be room made for a new rabble, and a new retailer of sedition

VOL. I. M " and

of and obscenity . . ." It is needless to make any remarks on this passage. It is equally characterized by politeness and by humanity.

In your last political publication, the **PATRIOT**, speaking of the opponents of government, you say, " The greater, far the greater number of those who rave, and swear, and enquire, and accuse, neither suspect, nor fear, nor care for the public ; but hope to force their way to riches by virulence and invective, and are vehement and clamorous, only that they may be sooner hired to be silent . . ." That this assertion is notoriously untrue, must be evident to every man who will consider it. A great majority of those who are dissatisfied with the measures of government, and who testify their discontent, cannot

¹² False Alarm, p. 35.

¹³ Patriot, p. 5, 6.

possibly

possibly have any hope of acquiring riches by their opposition, or cherish any hope of being bribed to silence. But you have, with an equal disregard to truth, also passed a similar unjust and undistinguishing sentence of the popular party, in the FALSE ALARM. You there commend the king for having neglected or FORGOTTEN the many petitions sent to him from different parts of the kingdom; because you say, " he might easily know, that what was presented as the sense of the people, was " the sense only of the PROFLIGATE and " DISSOLUTE ". " That this is a gross violation of truth must be evident to every candid person in the kingdom, of whatever party. Among those who approved of the petitions to the throne, and who joined in their complaints of those grievances of which the petitions contained an entire-

" False Alarm, p. 48.

M 2 ration,

ration, were many of the worthiest persons in this country; and not a few who were distinguished both by abilities and learning, as well as by integrity. Surely then neither party violence, nor the influence of a pension, can be pleaded even by your friends as a justification of what you have written. Nor can you possibly vindicate yourself, unless you think it right to support the cause of your patrons, not only by a total disregard of candour, but by the most gross deviations from truth and justice.

You observe in THE PATRIOT, p. 1. that "at the end of every seven years comes the SATURNALIAN SEASON, when the people of Great Britain may PLEASE THEMSELVES with the choice of their representatives. This happy day has now arrived, somewhat sooner than it could be claimed." Your comparison here of the

the period of election with a Roman festival, wherein the SLAVES were put on a level with their MASTERS, appears to convey in it a compliment to your countrymen not of the most delicate kind. And as to your remark, that " this happy day has arrived somewhat sooner than it could be claimed," for which you seem to suppose that the people are under some obligation to administration ; it is, I believe, far from being generally apprehended, that the unexpected dissolution of the parliament arose from any desire to gratify, or to serve the people. And if it was done with the views that are supposed, little gratitude can be due from them on that account.

IN the course of those observations, wherein you profess to point out the marks which distinguish true patriots from those who falsely assume that character, you

say, " Some claim a place in the list of
 " Patriots by an acrimonious and unrelenting opposition to the court. This mark
 " is by no means infallible. Patriotism is
 " not necessarily included in rebellion "¹³ " Was it your design here to insinuate, that OPPOSITION TO THE COURT and REBELLION are synonymous terms? Something like this appears to have been intended. That opposition to administration, merely for the sake of opposition, or when engaged in from private views, is not patriotism, may readily be granted. But if the prevailing measures of government are unjust, pernicious, and despotic, the purest public virtue would dictate an opposition to such an administration: and it is natural and reasonable for the people to consider those as their friends, who distinguish themselves by their opposition to measures of this kind.

¹³ Patriot, p. 4.

With

With whatever caution the people may elect their representatives, they are often liable to be deceived. But they always act rightly in electing such men for members of the house of commons, whom they believe to be friends of freedom, and disposed to join in a vigorous opposition to all schemes for aggrandizing the power of the crown, or for depriving the people of their rights.

You say, Patriot, p. 4. that "a man may hate his king, yet not love his country." I shall not dispute this assertion, because I consider yourself as an evidence of its truth. In the last reign, no man suspected you of any affection for the king¹⁴: and yet there were reasons to be-

¹⁴ Dr. Johnson's sentiments of George I. and George II. may be learned from Mr. Boswell's Life of him, Vol. I. p. 124, 125. and Vol. II. p. 215.

Never, that you had not much more for your country. When the rest of the nation were rejoicing at the advantage which they had gained over their enemies by the conquest of Louisbourg, you seemed to view it with disgust; and therefore wrote an essay in the *Idler*, calculated to depreciate the merit of the English in that capture, and to lessen the general joy on the occasion, under the pretence of shewing the partiality of national historians²². You remark in that essay, that “there is “no crime more infamous than the violation of truth.” It would have been much for your reputation as a moral man, if you had attended more to this consideration in your late political productions. However, that you are not tinctured with many prejudices in favour of your country, is sufficiently apparent to those who are

²² *Vid. the Idler, N^o 20.*

conver-

conversant in your writings¹⁶. And let it also be remembered, that no man can with propriety be said to love his country, who will be induced by a pension to defend violations of the rights of his fellow subjects. As to that public liberty, by which England has long been so honourably distinguished from other nations, the very idea of it appears to be offensive to you: and the acrimony, with which you have criticised Dr. Blackwell's "Memoirs of "the Court of Augustus",¹⁷ seems to have arisen from no other source, than your

¹⁶. Vid. Dr. Johnson's attempts to justify the proceedings of the Spaniards, in his *Thoughts on the transactions respecting Falkland's Islands*; and his arguments in favour of the conduct of the French in America, in "Observations on the State of Affairs in 1756," reprinted in the third volume of *Miscellaneous and Fugitive Pieces*.

¹⁷ Vid. the third volume of *Miscellaneous and Fugitive Pieces*.

dislike

dislike of that ingenious writer, on account of the zeal which he had discovered in support of liberty, and the common rights of mankind.

You observe, PATRIOT, p. 16. that. " a true patriot is no lavish promiser: he undertakes not to shorten parliaments; to repeal laws; or to change the mode of representation transmitted by our ancestors." If you mean by this, that no true patriot will undertake to effectuate those things himself, because every individual knows that they are not within his power, you say what may be true, but what is nothing to the purpose; for no man, whether patriot or otherwise, has undertaken any thing so absurd. But if you mean, that no man, consistently with the character of a true patriot, can promise to use his endeavours, and to vote for short-

shortening the duration of parliaments, for repealing bad laws, or changing the mode of parliamentary representation, your assertions are without proof; and, as I apprehend, totally repugnant to reason.

THAT long parliaments are a very considerable national evil, is the opinion of many of the best and most intelligent friends to the free constitution of this country. And with respect to any man who is of these sentiments, what can there be inconsistent with true patriotism, in his declaring to those whom he offers to serve as their representative, that he will use his endeavours to procure a law for shortening the duration of parliaments? There can be nothing in this repugnant to the purest principles of patriotism; and your assertion must, therefore, be wholly groundless.

It is the same in the case of a promise made by a candidate, to use his endeavours to procure a repeal of any other laws that are apprehended to be detrimental to the nation. The people have a right to apply for a repeal of such laws; and there can be nothing inconsistent with public spirit, that those who offer themselves to be trustees for the people, should make declarations of their readiness to comply with the requisitions of their constituents.

As to *changing the mode of representation transmitted by our ancestors*, all who have considered this subject with any degree of attention, must be convinced of the inequality of the present mode of parliamentary representation, and that it is productive of great evils to the constitution ¹¹. In what

¹¹ See some just observations on this subject in Mr. Burgh's *Political Disquisitions*, vol. I. p. 39—72.

respect then can it possibly be inconsistent with true Patriotism, that a candidate, for the office of member of parliament, should promise, that he will use his endeavours to procure a redress of this grievance? You say, that the true Patriot knows, that "futility is not in his power." Every man knows this, and nothing more has been required of any candidate, but that he should

One of the most accurate accounts of the present state of Parliamentary Representation in England, is to be found in "the State of the Representation of England and Wales," published by the Society of the Friends of the People, associated for the purpose of obtaining a Parliamentary Reform; and also in the Petition to the House of Commons for a Reform in Parliament, presented from that society on the 6th of May, 1793. The society offered to establish the allegations contained in their petition, relative to the present state of parliamentary representation, by sufficient evidence at the bar of the house. The same society also published an account of the state of the representation in Scotland.

use

use his endeavours to effectuate what was required of him by his constituents, when it should be in his power. As to your other observation, that the true patriot knows, that " all times are not alike favourable to " change ;" this is nothing but the common cant of those men, who are desirous of preventing improvement of any kind, when it interferes with their private views ; and who, when they are ashamed of objecting to a measure evidently good, content themselves with saying, that the present is not a proper time. And indeed to people of this class, no time ever arrives, which they suppose proper for the discharge of their duty. To do it is not their aim : they are only solicitous for some new excuse, or some plausible evasion.

" Much less," you say, " does the true " patriot make a vague and indefinite pro-
" mise

"misse of obeying the mandates of his
 "constitments. He knows the prejudices
 "of faction, and the inconstancy of the
 "multitude." But upon this it may be
 observed, that the notion, that members
 of parliament are not under an obligation
 to obey the instructions of their constituents,
 is a novel doctrine. It was not un-
 frequent formerly for members of the
 house of commons, and sometimes the
 whole body of them, to refuse to vote,
 till they had consulted those who sent them.
 And both houses of parliament have often
 been adjourned to give them time to do
 this. Lord Coke says, " It is the custom
 "of parliament when any new device is
 "moved for in parliament, on the king's
 "behalf, for his aid, or the like, that
 "the commons may answer, They dare
 "not agree to it without conference with
 "their

“ their countries ”.” And surely nothing can be more just, than that those who act as the deputies of others, should conform to the instructions of those from whom they receive their delegated power. As to the apprehension, that injudicious instructions might be sent to the members, let it be remembered, that this would hardly be the case with many places in the kingdom at once; and, therefore, if it should happen in a few places, could not be supposed materially to affect the final determination of the house. When instructions have been sent to members from many parts of the kingdom at once, they will, I believe, always be found to be in favour of some object of great and evident national utility; and when these instructions have been disregarded, it has been to the public detriment. The *prejudices of faction*, and the

¹⁹ Vid. Political Disquisitions, vol. I. p. 191, 200.
incon-

inconstancy of the multitude, which you so dolorously bewail, would not be in any degree so prejudicial to the nation, not even the prejudices of the Jacobite faction, as having a house of commons regardless of the sense of their constituents, and ready to vote as any minister should direct them.

As in the last parliament, the dependance of the house of commons on their constituents seemed often to be forgotten, or disregarded; and the connection evidently was, in general, not between the members and their constituents, but between the members and the minister, it was high time that the people should propose some tests, in order to secure the fidelity of their representatives. And the particulars, to which they were required to declare their assent, were of great national concernment,

and of evident validity; and not matters of difficult discussion, on which depended on times and circumstances. It would have been well, if tests of this kind had generally been proposed to candidates throughout the kingdom; it had been frequently recommended; and to prevent this, by taking the people unprepared, was probably a principal cause of the sudden dissolution of the last parliament.

You have also laboured in the RATION to vindicate the Quebec ACT; and in support of it you urge, (p. 14.) that "Person of colour is not more virtuous in a Protestant than a Papist; and that while we blame Lewis the Fourteenth, for his dragoons and his gallics, we ought, when power comes into our hands, to use it with greater equity." This is only confounding the state of the question, by an attempt

attempt to refute principles that were not advanced by the opponents of the act. It was never pretended, that it would have been just to persecute the Papists in Canada, or to have deprived them of the exercise of their religion. But there was surely no necessity for giving Popery such a legal establishment there, under a British government, as that their priests should have the same right to claim their ecclesiastical revenues, as the clergy of the established church in England. It has, indeed, been said by another apologist for the Quebec act, that "when the free exercise of the national religion was given to the Canadian nation, it could never be understood, that they were to be DEPRIVED of their clergy; and if not, a national provision for that clergy follows of course."¹⁰

¹⁰ Letter to the Earl of Chatham on the Quebec Bill, attributed to Sir William Meredith, p. 24, 25.

But why so? Are the Protestant **Dissenters** in England deprived of their clergy? And yet it is well known, that no legal provision is made for their maintenance. They are supported only by the voluntary contributions of the dissenting laity. Would it not have been sufficient, if the Popish clergy had been put upon the same footing? They would hardly have complained of ill treatment in this case. Indeed, of whom could they have complained? Not of the English government, who allowed them the free exercise of their religion, and left the laity to support them as liberally as they pleased. And surely the Popish laity could not have complained, when they were allowed liberty of conscience, and permitted to support their clergy in that way which they thought best. Neither clergy nor laity, therefore, could, with any shadow of reason, have complained of the English government:

vernament: for if the clergy had not thought themselves sufficiently supported, they would have had no blame to throw on any but their own people. And let it be supposed, that in consequence of the laity not being compelled to pay the clergy, Popery had decreased in Canada; would this have been thought an evil, by a truly Protestant king, or a truly Protestant parliament? It is impossible.

It may be said, that Popery was the religion of the inhabitants of Quebec, when it was taken by the English; or, as you express it, that "the inhabitants, being French, were always Papists." Be it so: but is that a reason why French Papists, in a country conquered by the English, should be put on a better footing than Protestant Dissenters in England? Is it just, or reasonable, or decent, that in any part

of the British dominions public provision should be made for a Popish clergy, whilst a *legal* toleration is refused in England to Protestant Dissenting Ministers?

You say, that "when Canada with its inhabitants was yielded, the free enjoyment of their religion was stipulated; a condition of which king William, who was no propagator of Popery, gave an example nearer home, at the surrender of Limerick."²¹ It was certainly reasonable, that when Canada was conquered, a stipulation should be made to the inhabitants of the free exercise of their religion; and it would have been extreme injustice and inhumanity to have violated that stipulation. But there was no necessity, in consequence of the capitulation made with the Canadians, that an act of Parliament

²¹ Patriot, p. 124

should

should afterwards be passed to compel them to pay their own priests. The case of the surrender of Limerick, therefore, is not a similar one, nor can with any propriety be urged in support of the Quebec Act; for it is that which is now justly the subject of complaint, and not the articles of capitulation, or the adherence to those articles.

You observe, PATRIOT, p. 13. that if liberty of conscience "be an indulgence, it "may be allowed to Papists, while it is "not denied to other sects;" and that "those at least, who enjoy a toleration, "ought not to deny it to our new subjects." I am far from considering liberty of conscience as an indulgence of government. It is a right of nature, which no government can deprive men of, without being guilty of inhumanity and injustice!

If the penal laws against Papists were even defensible, it must have been from political considerations, and a regard to the safety of the state. How far they were justifiable on that ground, I shall not now inquire. But it may be remarked, that the considering Protestant Dissenters and Papists as equally entitled to favour under the present government, is a kind of novel doctrine. However, if it were just, the Dissenters would still have reason to complain. At a time when a legal establishment, and public maintenance for the clergy, have been granted to the Papists in Canada, the Dissenters in England have been refused a legal toleration!

The Dissenters are not only obliged to contribute their full share towards the support of the established clergy, and the national worship, and to maintain their own clergy

clergy separately ; but the most unjust and oppressive laws are still continued against them, by which their most learned and most respectable ministers are subjected to pains and penalties, to heavy fines, and to imprisonment. These laws, it is true, are not at present put in force ; but the Dissenting clergy are constantly liable to prosecutions, and yet have been repeatedly refused any legal security. And this at the very period, when Papists are placed on such a footing by a British Parliament, that they have the freest exercise of their religion, are not required to pay to the support of any clergy but their own, who have a legal maintenance afforded them, and who are not shackled with any such subscriptions, as are required by law of Dissenting ministers in England. Are the Protestant Dissenters in this country less entitled to liberty of conscience, than the Papists in Canada ?

Canada? If they have only an equal claim to it, why is it granted to the latter, and the legal enjoyment of it refused to the former? I do not, indeed, remember to have met with any Protestant writer, except yourself, who ever thought that the Protestant Dissenters and the Papists were to be considered as on an equal footing under this government; and I believe no man, pretending to be a Protestant, has ever in this view given the Papists the preference, at least since the Revolution, excepting your colleague Dr. Shebbeare.

But your desire of considering the Protestant Dissenters as on a level with the Papists, probably arises from that aversion to them which you sometimes discover, and of which we have a curious specimen in the *False Alarm*, p. 52. Speaking of the opposition, you say, "None can indeed wonder

" Wonder that it has been supported by
 " the factaries, the constant fomenters of
 " sedition, and never-failing confederates of
 " the rabble, of whose religion little now
 " remains but hatred of establishments."

Of this malevolent and injurious account
 of the Dissenters, I shall say but little; it is
 unnecessary; as its manifest want of justice,
 and of truth, must be evident to every
 equitable and impartial member of the
 established church. I shall, however, ob-
 serve, that it may be considered as some
 tolerable kind of evidence, that the religion
 of the Dissenters is not very near being ex-
 tinguished in this country, that there are
 now upwards of eleven hundred Dissenting
 congregations in England, supported by
 voluntary contributions among themselves;
 without including either Methodists or
 Quakers.

BUT

BUT it is not only that part of the Quebec act which relates to the Romish religion that is censurable; what is still more alarming is, that so considerable a part of the British dominions should have a despotic government established in it. The inhabitants are not only deprived of trial by jury in civil cases, but the government of the province, and the power of making laws, are invested in persons appointed solely by the king and privy council. No assembly of the people, as in other British colonies, is to be allowed; it being *at present inexpedient*¹¹; and we have no reason to expect, that those in power will hereafter discover its expediency. The management of the colony, therefore, is entirely entrusted to the king, and the creatures of the crown; and the persons who are nominated for this purpose by his majesty,

¹¹ Vid. the Act,

and

and who are honoured with the title of a *legislative council*, have also power given them to make *ordinances* touching religion, which may direct fines, to any amount, or imprisonment for three months, as they shall think proper; and they may enact severer laws relative to religion, if they are such as his majesty shall be graciously pleased to approve. The king may also erect such courts of criminal, civil, and ecclesiastical jurisdiction, as he "shall think necessary and proper." And the boundaries of the province of Quebec are extended by the act, that the advantages of this blessed system of government may be the more widely diffused.

For what purpose was Quebec retained by England at the last peace? Was it that it should be made an English colony, in which English subjects might have the liberty

liberty of settling? If this were any part of the design, it appears to be almost entirely defeated by the act. What man deserving the name of Englishman, who has ever enjoyed the blessings of freedom, or formed any just notions of its value, or its importance, would ever chuse to retire to the province of Quebec, where no religion but the Romish is countenanced by government, and where French laws, and an arbitrary government, are established? Of what use then is Quebec to this kingdom; or what purpose does our ~~protection~~ answer, under such circumstances, excepting merely the aggrandizement of the power of the crown? All the future English settlers in Canada, as well as those who are now there, are, while this act continues in force, to be deprived of their freedom and their laws; though it has been acknowledged by an advocate for the Quebec

the act²³, that the English who are now settled in the province, "fervently desired" to be governed by the laws of England." Was not some regard due to English Protestants, as well as to French Papists? Or, was Canada conquered by British arms, that British subjects might be compelled to submit to Gallic laws?

You observe, that "Quebec is on the other side the Atlantic, at too great a distance to do much good or harm to the European world." It appears, however, that your worthy colleague and brother-pensioner, Dr. Shebbeare, is of opinion, that Quebec may be made very useful in promoting the purposes of administration. The Quebec act, he says, "has established an AMPLE and SUFFICIENT FORCE to quell

²³ Letter to the Earl of Chatham, p. 18.

" the

“ the *democratic* spirits of the Americans¹⁴.¹⁵ What thanks are not due to those refined politicians, who have formed a scheme of employing an army of French Papists, to keep the New England heretics in order, or to exterminate them if they should prove refractory! It is an admirable project; and similar to that attributed to Charles I. of endeavouring to crush his rebellious English subjects by an army of Irish Catholics. The politics of Charles were also very refined; but it may be proper to remember, that they at length brought him to the scaffold.

You observe, PATRIOT, p. 22. that “ that man is no Patriot, who justifies the ridiculous claims of American usurpation;

“ Vid. Dr. Shebbeare’s Pamphlet, p. 30. This Writer also says in another place, that by the last peace the nation acquired “ a number of *loyal subjects* to oppose the rebellious intentions of the *democratic sectaries* in America.” p. 69.

“ who

" who endeavour to deprive the nation of its natural and lawful authority over its own colonies." But it may justly be questioned, whether the authority now claimed over the Americans, be either natural or lawful. These are, perhaps, other claims, at least as ridiculous, as those to which you have given that appellation. Nor do I apprehend, that it is a just impeachment of any man's patriotism, that he disapproves of the late proceedings respecting the Americans, or that he thinks ~~what~~ may be alleged in vindication of the colonies, than will be admitted at St. James's church, in the year 1770.

You say, *Patriot*, p. 23. " He that accepts protection, stipulates obedience. We have always protected the Americans; we may therefore subject them to government." This argument is very

inconclusive. We protected the Portuguese in the last war; but no man supposed, that on that account we had a right to their obedience, or to subject them to government. And however differently the Americans may be circumstanced, from their more intimate connection with Great Britain, it is certain, that ~~we~~ having power over them, even though we had not derived it from a regard to our own interest, ~~can~~ give us no right to reduce them ~~by~~ ^{to} slavery.

You observe, that the "power which can take away life, may seize upon property. The parliament may enact for America a law of capital punishment; it may therefore establish a mode and proportion of taxation." Perhaps the best method of refuting this argument, is to shew the consequences to which it would lead. If it be admitted, the "King" and

and parliament must be the absolute and uncontroloable lords of the Americans. If the British parliament, in which the Americans have no representatives, can enact any laws of capital punishment respecting them, can "take away life, seize upon property," and tax them at pleasure, are the Americans, in a political view, more free than the inhabitants of the empire of Morocco? Are not their lives, properties, and privileges, wholly at the disposal of others? Should it be supposed, contrary to fact and late experience, that they would not meet with rigorous treatment from a British parliament, this would make no alteration in the argument. The Negro who has a kind master is as much a slave, as he who has a severe one. When all this is considered, perhaps it may easily be discerned, to whom ridiculous claims ought most justly to be attributed.

The present contest with America appears to be one of the most unhappy, in which this country was ever engaged. It is a contest, in which we have almost every thing to lose, and in which nothing can be gained. What may be the event of it, or how fatal its consequences, either to Great Britain or to the colonies, no man can foresee. Whether we crush them by force, or they are successful in resisting our pretensions, in either case this nation must greatly suffer. And should our enemies on the continent take this opportunity of attacking us, how perilous would be our situation? Can those then, whatever offices they may hold, be considered as real friends to this country, who are precipitating such measures against the Americans, as may, in the event, bring the British empire to the brink of destruction? Is it more probable, that this conduct is dictated

rated by wisdom and by justice, or by the mere lust of power, without any regard to the most important interests either of Great Britain, or of the colonies?

You assert in the *Patriot*, p. 27. that those can lay no claim to the illustrious appellation of patriots, " who impute want of public spirit to the late parliament." I confess, that had it not been for your information, I should never have suspected, that faith, in the public spirit of the last parliament, was an essential mark of patriotism. But you are an uncommon genius, and have therefore a right to make uncommon discoveries.

You ground your argument in support of the public spirit of the last parliament, on their having passed Mr. Grenville's bill for determining contested elections, and

another for abridging the privileges of members of parliament. It should seem, that the good works of the last parliament were not very numerous, because different advocates in its favour fix on the same two acts as evidences of its virtue. A fellow labourer with yourself in the royal vineyard, the Rev. Mr. John Wesley, did also, nearly four years ago, though at second hand, allege these acts in justification of the King's last parliament²⁴. But I should rather be of opinion, that *two* good acts, in the course of about seyen years, could hardly be a proof that a parliament had no deficiency of publis spirit. Some persons may possibly think, that the merit of these two acts was much more than over-balanced, by the iniquity of the new Game and Dog acts, the Royal mar-

²⁴ Vid. Wesley's Free Thoughts on the present State of publick Affairs, 8vo. 1790. p. 26, 27.

ring act, the East-India company act, the Boston Port act, the act for changing the government of the province of Massachusetts Bay, and the Quebec act; not to speak of the violation of the right of election by the last parliament, and the facility with which they voted half a million of the public money to pay civil list debts, without examination or account.

Is there an impartial man in this country, who understands its constitution, who will assert, that the last house of commons acted like the real representatives of the people? In how many instances, during the seven years wherein they were assembled, did they vote in conformity to the wishes and interest of their constituents; when they were contrary to the will and pleasure of the minister, or of his master? Or can it be conceived possible, that the

prime minister would have dared so openly to direct the determinations and proceedings of the last house of commons, if they had possessed any proper sense of their own duty, or their own dignity?

If under the most solemn obligations to act on behalf of those by whom they were elected, the last house of commons almost invariably supported every measure of the minister for the time being; if instead of considering what was the sense of their constituents, they attended only to the nod of the prime minister; if instead of being the guardians of the people's rights, they were the mere creatures of the crown, on the proceedings of which they ought to have been a check; if they were induced by places, pensions, contracts, lottery-tickets, and other *douceurs*, to sacrifice the interests of those from whom

whom they received their delegated power, and for whom they should have acted as faithful trustees; if this was the character of the majority of the last house of commons, and I believe few impartial men entertain many doubts upon the subject, I know of no words in our language, that can convey too severe a censure of their baseness, servility, and treachery to their constituents.

In the 32d page of the *Parler*, you say, "That the next house of commons may act upon the principles of the last, with more constancy, and higher spirit, must be the wish of all, who wish well to the public." But this is merely your assertion, and appears to be unsupported by reason or by truth. I believe, on the contrary, that it is the sincere wish of all who are friends to the free constitution of this country, that the new house

of commons may act on principles essentially different from the last; that they may attend more to the real interests of the nation, and less to their own private emolument; that they only be more tender of the rights of the people, and less ready to comply with the sequestions of the ministry; and that if they do discern more spirit than the last, it may not be exerted in trampling on the privileges of those whom they represent, and whom they are bound by the most sacred obligations to defend; but in treating with the contempt and indignation they deserve, any efforts of a first lord of the treasury, to direct their deliberations, or to controul their parliamentary decisions; and in bringing knavish ministers to justice, and to that exemplary punishment which they deserve, though they should take shelter behind the throne.

It is somewhat curious to observe, how much your Jacobitism is apt to break forth, notwithstanding your present zeal in support of the government of a prince of the house of Hanover. All your newly acquired loyalty to George III. cannot make you forget your much-favoured house of Stuart, nor wholly remove your attachment to it. It was too deeply rooted, and become too natural to you, to be totally eradicated:

Naturam expelles furca, tamen usque recurret.

In the *False Alarm*, p. 51. you say, that "the struggle, in the reign of Anne, was to exclude or restore an exiled King." This exiled King was the Pretender. And notwithstanding the many resplendent virtues which you have discovered in his present majesty, you are far from paying any compliments to his predecessors since the expulsion

expulsion of the house of Stuart. For you inform us, that the prince from whom you received your pension, and in whose reign of consequence your loyalty commenced, is " the only king, " who, for " *almost a century*, has much appeared to desire, or much endeavoured to deserve" the affections of the people ". The caution, and attention to chronology, with which you express yourself here, is truly admirable. You compliment his present majesty, but take care to exclude from your list of those kings, who deserved the affections of the people, William III. George I. and George II. At the same time, leaving room for your readers to draw all honourable conclusions in favour of their predecessors, the Stuarts ; whom you have entirely excepted from your censure ; and, indeed, it ought to be remembered, that

if penitent, they have a few faults; they were amply entitled for by that divine and hereditary right, which resided in their sacred persons!

" You observe of *Falkland's Island, Patriot*, p^o 20. " that it is a bleak and barren spot in the Magellan^e ocean, of which no use could be made, unless it were a place of exile for the hypocrites of Patriotism."

But, perhaps, a better use might be made of it. It would at least be as well adapted for the reception of those men, who, though born under a free constitution of government, have no sense of its value, or concern for its preservation; who are ready to prostitute their talents in the service of every minister who will employ them; or who have so much attachment to despotic principles, as to be for ever incapable of becoming
belong

becoming combustible to that publick misfortune, by which this country has been following, and so honourably distinguished. Men of sound principles must ever be unworthy members of a free state. And as to yourself, however unwilling you may now be, when you can bask in the beams of royal favour, to remove to a spot like this, there was a time when you seemed to languish for such a retreat: when you pathetically exclaimed,

Has Heav'n reserv'd, in pity, to the poor,

No pathless waste, or undiscover'd shore?

No secret island in the boundless main?

No peaceful desert, yet UNCLAIM'D BY SPAIN?

Quoth let us rife, the happy fears explore,

And bear Christian's INDOCTRINATION more!

Mr. is a misfortune which has stain'd your political writings, than they have done

Johnson's LONDON, *ut supra.*

graded

[Essay]

gratified your own character, without rendering much service to those by whom you were employed. I believe no writer of your abilities ever engaged in politics, whose productions were of so little effect, and so unprofitable to his patrons. And you may in many respects be considered as a remarkable instance of human weakness. For though you have given evidences of great force of genius, you have at the same time disengaged such little prejudices, and such bigoted attachments, as would have disgraced a common understanding.

You will probably, with that haughtiness which is natural to you, but which even your best friends must acknowledge to be a considerable flaw in your character, answer to disregard whatever can be offered against your conduct, or your writings.

But

But should you ever again really be influenced by those principles of virtue, which you have so forcibly indoctrinated on others, you will regret, that your time has been misemployed in the vindication of measures, which should have excited the indignation of every honest man. I would, however, wish you to remember, should you again address the public under the character of a political writer, that baseness of imagination, or energy of language, will ill compensate for the want of candour, of justice, and of truth. And I shall only add, that should I hereafter be disposed to read, as I heretofore have done, the most excellent of all your performances, THE RAMBLER, the pleasure which I have been accustomed to find in it will be much diminished by the reflection, that the writer of so moral, so elegant, and so valuable a work,

work, was capable of prostituting his talents in such productions, as the FALSE ALARM, the THOUGHTS on the TRANSACTIONS RESPECTING FALKLAND's ISLANDS, and the PATRIOT.

I am, Sir,

Your very humble Servant.

A P P E N D I X.

IT is somewhat worthy of observation, that, at the present period, the pensioned-advocates for the court should be of opinion, as it appears they are by their writings, that the best method they can take of gratifying their patrons, is to degrade the characters of king William and queen Mary, to traduce the revolution, and the most illustrious patriots of the last age, and to pour out the most scurrilous abuse on the Protestant Dissenters. Of this we have an extraordinary specimen, in a piece lately published by Dr. Shebbeare, intitled, "An Answer to the Queries con-
" tained

“tained in a letter to Dr. Shebbeare,
 “printed in the Public Ledger, Aug. 16.
 “together with animadversions on two
 “speeches,” &c. in which he has also
 made a comparison between the public
 and private virtues of their present ma-
 jesties, and those of king William and
 queen Mary; and likewise, as the Doctor
 himself says, FAIRLY STATED the merits of
 Roman Catholics, and of Dissenters from
 the Church of England, respecting allegi-
 ance and liberty, and their claims to na-
 tional protection.

It is not my design to enter into a par-
 ticular examination, or refutation, of Dr.
 Shebbeare’s voluminous pamphlet: It is
 the less necessary, as the Doctor’s perfor-
 mance is so full of gross scurrility, and
 evident malignity, and so totally destitute
 of any appearance of justice, or of candour,

that it carries in a great degree its own antidote with it. I shall, however, make a few observations on this curious production.

IN the preceding letter, I have given some instances of the politeness with which Dr. Johnson has treated the popular party, and those against whom he has thought proper to engage. In like manner, I shall here select a few specimens of a similar stile from Dr. Shebbeare; as both he and his brother-pensioner have much distinguished themselves in this way, though, it may be presumed, that neither of these courtly gentlemen acquired this kind of language in the drawing room.

Dr. Shebbeare stiles the popular party,
" the remorseless crew of present pa-
" triots,

" riots " " and also says, they " are
 " THE SPAWN of those who were uni-
 " formly rebels to the " best of Kings " "
 The Americans, he styles " graceless
 " subjects," " trans-Atlantic sectaries," and
 " rebellious ingrates " "
 He also says; they were " conscious of their internal
 " rotteness of soul " ; " and that from
 their hearts " it would be excessively more
 " difficult to eradicate ingratitude, than to
 " divest arsenic of the power of poison-
 " ing " "
 The Dissenters he compliment-
 ments with the title of SECTARIAN CREWS,
 and also speaks of " the infernal altar of
 " Presbyterian perfidy, in whose religion
 " REGICIDES ALONE are saints " "
 The

²⁰ P. 132.

²¹ The Doctor, it is presumed, means the BLESSED
MARTYR.

²² Shebbeare's Pamphlet, p. 92. . . . ²³ P. 111.

²⁴ P. 112. ²⁵ P. 110, 111. ²⁶ P. 173, 174.

Bishop of St. Asaph, he says, is a ~~speach-~~
~~printing Iscariot~~²⁵; and he is of opinion, that Bishop Burnet was “as great a
 VILLAIN, and merited death as much as
 Garnet,” the Jesuit, who was ~~executed~~
 for being concerned in the powder-plot²⁶.

THIS is a most admirable historical style!
 and from which the public may be enabled
 to form some judgment, of what is to be
 expected from the Doctor’s projected His-
 tory of England²⁷. For though Dr.
 Shebbeare’s late piece be not properly an
 History, yet it contains so many historical
 facts, or at least what he has thought
 proper to give as such, that it may reason-
 ably be supposed he intended it as a spe-
 cimen of his historical talents.

²⁵ P. 124. ²⁶ P. 145.

²⁷ Dr. Shebbeare had, several years before, pub-
 lished Proposals for a History of England.

The

The Doctor says of the truly illustrious ALGERNON SYDNEY, not only that he was a FANATIC VISIONARY³³, but that "no history has yet produced a more SANGUINARY AND UNGRATEFUL TRAITOR". And he has quoted a passage from one of Sydney's letters to Henry Savile, in order to confirm the charge of corruption, which has been lately brought against Sydney, grounded on Barillon's letters, as published by Sir John Dalrymple. But this pretended new evidence against Sydney, appears to be founded on nothing but a wilful perversion of the meaning of his letter. For it must be manifest to any man, who will read the letter referred to by Dr. Shebbeare³⁴, that Sydney, who wrote from London to Savile then in

³³ P. 55.

³⁴ P. 59.

³⁵ *Vid. Letters of Sydney to Savile, edit. 8vo. 1742.*
P. 130.

France, and who was giving him an account of the state of public affairs in England, when he said, " You know Mons, " Barillon governs us, if he be not mis- " taken," meant only, that Barillon thought he managed the councils of the English court; and not that he governed Sydney and Savile as individuals. It is well known to be common for private persons, when conversing on political subjects, to use the phrase *our affairs*, when speaking of the public affairs of the kingdom; or to say the French have defeated, or outwitted *us*, when the persons speaking have not the least reference to themselves as individuals, but only speak of themselves as members of the community at large. It is evidently in this manner that Sydney uses the phrase *governs us*, in the letter referred to. So that Dr. Shebbeare, when he quoted this passage as a proof, that

" Sydney

"Sydney and Savile were secretly in-
"triguing with the French court," is un-
questionably guilty of a gross and shameful
misrepresentation.

As to the Doctor's reflexions against SYDNEY, on the supposition of his being a republican, it may be sufficient to observe, that if this justly celebrated man, in consequence of the abuse which he had seen of regal power, was of opinion, that a republican form of government would be most advantageous to the people of this country, there are few men of sense who will form an unfavourable opinion of him on that account. The great design for which civil government is established, is the promotion of the interest and happiness of the people; and modes of government are of little consequence, but so far as they are more or less adapted to that end.

end. The private interest of a particular prince, or family, is of trifling consideration, when compared with the welfare of a whole nation.

In the 94th page of his pamphlet, Dr. Shebbeare has given a quotation from Dr. Price's "Appeal to the Public on the subject of the national Debt;" but in a manner so dishonest and disingenuous, as few writers, besides himself, would have ventured to have been guilty. The Doctor observes, that "even Dr. Price, in his appeal to the public, p. 39. is enumerating the causes of our present evils, introduces that of "giving security to the Hanover succession. This, says he, "is in truth the fundamental grievance of the kingdom; and that patriotism, the first object of which is not the removal of it, can be nothing but an imposture."

It is evident, that Dr. Shckpeare here meant to impose upon the public, by representing Dr. Price as having spoken of the Hanover succession as the fundamental grievance of the kingdom. But this is a most shameful misrepresentation; for the grievance alluded to by Dr. Price was, the pernicious influence which has been obtained in the house of Commons. After speaking of the Sinking Fund not being appropriated to its proper purpose, and supposing that this partly arose from a view to the dependance created by the national debt, and the security that gave to the Hanoverian succession and the administration, Dr. Price proceeds as follows: " For like reasons, and with like views, a pernicious influence was maintained and prompted in the house of commons, which has sapped the constitution; and which may in time establish among us a ty-

" a tyranny of the most intolerable kind ;
 " a tyranny attended with the mockery of
 " all the forms of liberty ; a tyranny
 " created, supported, and sanctified by a
 " PARLIAMENT. — This is, in truth,
 " the fundamental grievance of the king-
 " dom ; and that Patriotism, the first ob-
 " ject of which is not the removal of it,
 " can be nothing but an imposture. To
 " this grievance we owe, among other
 " evils, the loss of the sinking fund. Had
 " the guardians of the state been under no
 " undue influence, they would have been
 " more faithful ; and could not have given
 " up this great security of the king-
 " dom . . ."

THOSE who compare this passage at
 length with the mutilated and unfair quo-
 tation made by Dr. Shebbeare, will at once

" Dr. Price's Appeal, p. 38, 39.

see

see the flagrancy of his misrepresentation, and be convinced how little credit can be due to such a writer. Indeed, he has been guilty of this misrepresentation for no other purpose, than to give an injurious opinion to the public of a most respectable man, who is much and deservedly esteemed for his learning and abilities, and still more for the worthiness and integrity of his character.

BUT the greatest demerit of Dr. PRICE is, his being a Dissenter ; and this charge lies equally against Dr. PRIESTLEY, whose free and manly spirit has also given offence to Dr. Shebbeare. And, therefore, he has taken occasion to introduce an imperfect quotation from his "Essay on the First " Principles of Government," in order to give him an opportunity of abusing him, and of representing him as a man of very dangerous

dangerous views. But Dr. Shebbeare should have remembered, that what Dr. Priestley has said in defence of the execution of Charles the First, was on the supposition of that prince being a convicted tyrant; so that Dr. Shebbeare has paid but a very awkward compliment to his present majesty, in supposing that, on Dr. Priestley's principles, he was in any danger of being brought into the same situation⁴².

AMONGST others, against whom Dr. Shebbeare has poured forth his abuse, are those clergymen of the established church, who have lately assembled occasionally at the Feathers tavern, in order to consult about the proper means of procuring some relief in the case of ecclesiastical subscription. Of these gentlemen, he

⁴² Vid. Shebbeare's Pamphlet, p. 93, 94. compared with Dr. Priestley's Essay, p. 40.

says,

says, that " their principles are the same with republicans and regicides⁴³ ;" and therefore intimates, that it is necessary " to be watchful of their actions." But can there be a more egregious absurdity, than to take it for granted, that a man must be a republican and a regicide, or of the same principles, because he thinks that there are some errors in the thirty-nine articles of the church of England !

THE account given, by Dr. Shebbeare, of the character and administration of King William, is evidently full of the grossest misrepresentations; but if it were just, it would only prove, that too much confidence ought not to be placed in princes; and that, by whomsoever the throne may be filled, the people ought to guard with the utmost vigilance and caution against

regal encroachments. Perhaps few princes have exercised their authority with more upright views than king William: but the history of mankind affords too many instances of princes and others, who have derived their power solely from the free choice of the people, and who yet, with the utmost wickedness and ingratitude, have betrayed the trust reposed in them, and totally disregarded the interests of those to whom they owed their elevation.

As to the Doctor's parallel between king William and his present majesty, I shall only observe, that it is general very safe to libel dead kings, and it may be profitable to flatter those who are living. But if any man were to draw a character of the present king, in the same stile and manner as Dr. Shebbeare has done that of William III. it might possibly involve him

him in some inconveniences. The doctor fights on the highest and the safest ground; and his character of the present king is a sufficient proof, that his pension has not been given him for nothing.

After such specimens of Dr. Shed-
bear's talent at misrepresenting facts and
characters, as he has exhibited in his
pamphlet, the public will certainly have
little cause to regret their loss, if he should
never finish his intended History of Eng-
land. They may possibly, however, con-
sider themselves as somewhat obliged to
him, for having already given them so
complete a demonstration, of his total un-
fitness for any work of that kind.

THIS inimitable defender of the go-
vernment acknowledges the corruption of
the parliament, but defends it on the

principle of NECESSITY. "It appears," says he, "to be as easy to abolish the existence of parliaments, as to eradicate the corruption of them *." The corruption of parliament is no more necessary to the community, than any other species of iniquity; but there is no kind of wickedness, of which some men may not discover the convenience or expediency. And by whosoever such an undue parliamentary influence may have been introduced, it should be the business of all honest men to oppose it to the utmost, and to endeavour to render contemptible and detestable, all who employ, promote, or participate of this corruption, which, of all our national evils, is the most formidable, and the most likely to be the destruction of this country.

* P. 39.

THAT

THAT Dr. Shebbeare is not very ill inclined towards the Romish religion, may reasonably be inferred, from the very favourable manner in which he speaks of Popery and the Jesuits. But the Dissenters, being generally friends to liberty, are honoured with a great share of that rancorous abuse, with which his performance so much abounds. Even the penal laws against the Papists, he attributes to the Presbyterians. They are answerable, it seems, for the most rigorous proceedings of the reign of queen Elizabeth; for, "Leicester, " Walsingham, and Cecil," he says, "were Puritans." But the doctor has not very clearly informed us, who the statesmen were, by whose influence the severe laws against Nonconformists in that reign were procured. It is probable, that they were not Puritans. However, the doctor's ingenuity in suggesting, that the Powder-plot, in

James the First's reign, was probably formed by Cecil, who, he says, was "*a Presbyterian at his soul*," is truly admirable.⁴³ 1.

As to many things that are alleged by Dr. Shebbeare against the conduct of the Nonconformists during the civil war, and under the republican form of government which was for a short time established, it may be sufficient to observe, that the Dissenters, of the present age, think themselves no more answerable for the conduct of the Presbyterians or Independents of the last century, than the Episcopilians of the present age are for the cruelties exercised by archbishop Laud and his colleagues, in the Star-chamber and High Commission courts. With respect to the execution of Charles the First, the Dissenters are by no means agreed in their sentiments respecting that

transfaction. There are, however, many of them, who are far from thinking it any dishonour to their ancestors, that they assisted in bringing a tyrant to the block. They are of opinion, that Charles the First demonstrably was a tyrant, and a betrayer of the rights of the people, and that he well deserved the fate he met with.

THE ordinance of 1648, against heresy and blasphemy, which is mentioned by Dr. Shebbeare, is justly entitled to the severest censure; but it should be observed, that it was by non-conformists to the church of England that it was prevented from being put in execution. It may also be remarked, that the real principles of toleration were then very little understood by any party amongst us. Mr. Locke was the first writer who appears to have had clear ideas upon the subject. And it can hardly be con-

fidered as any very peculiar reproach to the Presbyterians in the time of Cromwell, that they did not understand the principles of toleration, when it is remembered, that no other body of men in that age did; and that even in the present age, when these principles have been so much propagated, and so ably defended, the present Bench of Bishops could not discover that Protestant Dissenters in England had a right to a legal toleration; though since their rejection of the Dissenters bill, their lordships judgments have been so much enlightened, either by the assistance of Lord North, or by some other means, that they have not only supported the claim of right of the Papists in Canada to the free exercise of their religion, but have voted them a legal establishment of it, under the authority of a British Parliament.

THE

THE Protestant Dissenters, like the members of the established church, differ in their sentiments of some public measures, and on political subjects. As a body of men, however, they have generally and justly been considered as firm friends to the great interests of civil, as well as of religious liberty. The Dissenters are not ashamed of their principles as such, for they are satisfied that they will bear the severest scrutiny; and they are, therefore, ready to meet the ablest of their opponents on the fair ground of reason and of argument. And if it be a reproach to be warmly attached to the interests both of civil, and of religious liberty, and to detest tyranny, under whatever form it may appear, it is a reproach that many of them are well content to bear. The friends of freedom, and of public virtue, are naturally objects of dislike to the servile

and the venal ; and it can be no dishonour to be reviled by the avowed tools of a minister, by state-hirelings, and pensioned-parasites.



O B S E R V A T I O N S

O N

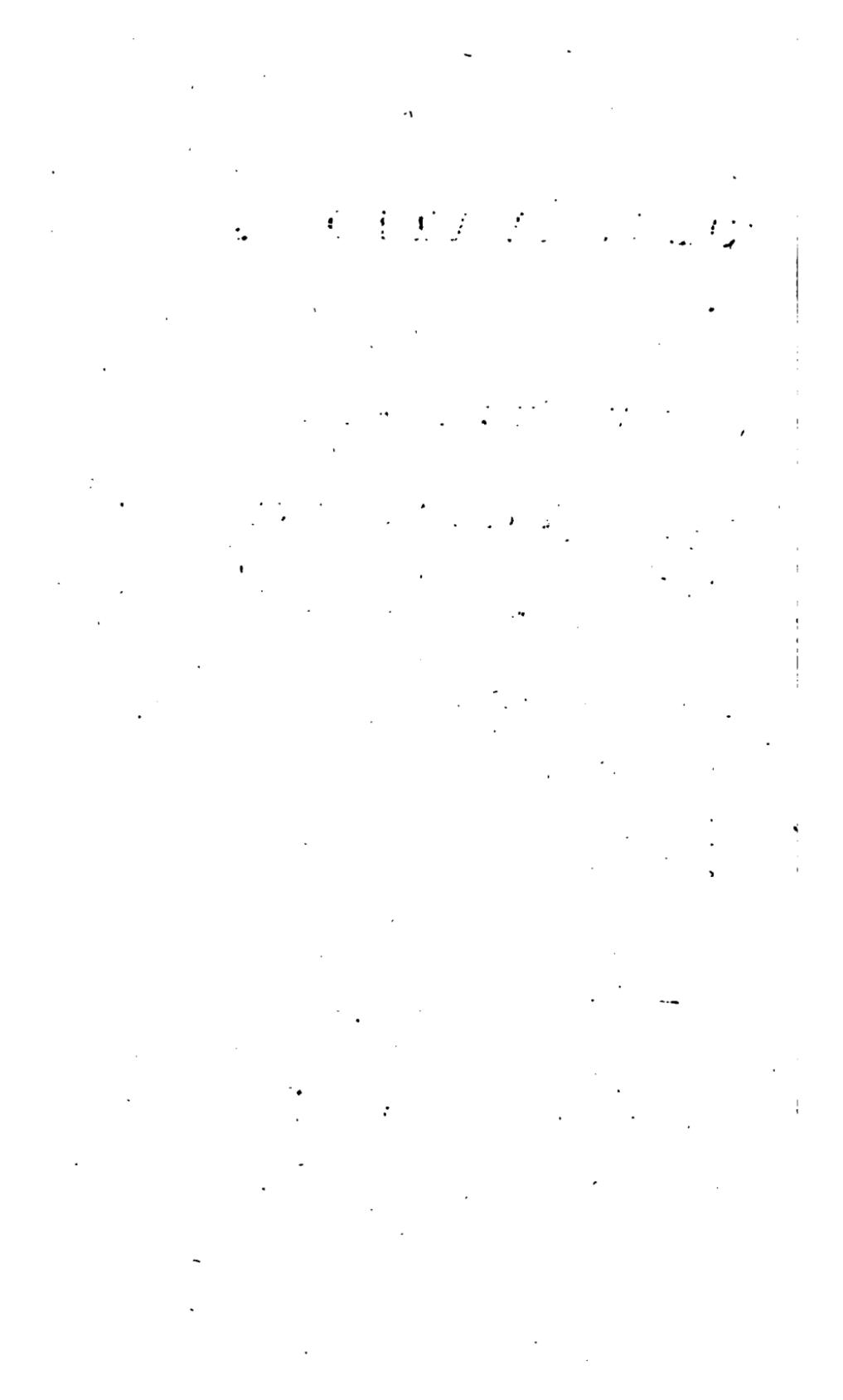
MR. H U M E 's

HISTORY OF ENGLAND.

Sunt duo genera hominum, qui ex antiquis monumentis Historiae contexere.—Alii, quantum licet, veritatem explicari contentur, et diligenter omnia expendunt, ut verissimilimam sequantur narrationem, cum non licet res exploratus proferre. Alii vero de veritate non multum laborantes ea elidunt, quae maxime mirabilia videntur; quia facilius exornari possunt, & grandiori orationi materia suppedant.

LE CLERC.

[FIRST PUBLISHED IN THE YEAR 1778.]



P R E F A C E.

THE Writer of the following Observations on the Work of a late celebrated Author, regrets that his death happened before their publication. He apprehends, however, that this circumstance is not of such a nature, as to preclude their being printed. The merit of Mr. Hume's history, as a fine composition, will make it long read, whatever may be its deficiencies in other respects; and it is, therefore, of some consequence, that a just idea should be formed of it. And as no man supposes, that

P R E F A C E.

that there is any impropriety in criticising the works of Addison, of Pope, or of Milton, there can be no just reason for objecting to a criticism on a work of Mr. Hume, though his death be of a more recent date. Whatever respect may be due to the memory of a departed genius, a much greater is due to the interests of truth; nor can the proper instruction be derived from an historical composition, unless we are acquainted with the views of the writer, and with the degree of credit that is due to his narrations.

O B-



OBSERVATIONS, &c.

FEW of our modern historical performances have been more read, or more celebrated, than the HISTORY OF ENGLAND by Mr. DAVID HUME; and as an elegant composition, and the production of real and distinguished genius, it is unquestionably entitled to great applause. But though beauty of diction, harmony of periods, and acuteness and singularity of

fenti-

sentiment, may captivate the reader, yet there are other qualifications essentially necessary to the character of a good historian. Fidelity, accuracy, and impartiality, are also requisite: and in these, it is apprehended, Mr. Hume is frequently deficient; so that those who read his work, with a view to obtain just ideas of the most remarkable transactions and events which have happened in this country, will, if they rely solely on his authority, be led to form conceptions exceedingly erroneous respecting matters of very considerable importance. It is, therefore, the design of the

It may not be improper to observe, that there is a wide difference between occasional and accidental errors, into which the most impartial historian may sometimes fall, and a kind of systematic misrepresentation, which runs through the greatest part of a considerable work. This appears to be the case with Mr. Hume's History.

follow-

following Observations to evince, that those who wish to acquire an accurate knowledge of the real state of facts, and to think justly of the persons and transactions treated of in Mr. Hume's history, should read his work with some degree of caution and circumspection, without too implicit a reliance on his integrity as an historian, and that they should compare his relations with those of other authors.

The great object of Mr. Hume's ambition, as we are informed by himself, was literary fame. And in order to excite public attention, he seems to have thought it necessary to be singular. Accordingly we find an affectation of singularity of sentiment, very predominant in his writings. But though opinions are not therefore true, because they are common; yet he who affects, on almost every occasion, to differ from

from the generality of mankind, will much more frequently be wrong than right. To oppose the sentiments of others, when they appear to be the result of prejudice or ignorance, is, in many cases, extremely laudable: but to contradict established opinions only for the sake of being singular, may justly be considered as a censurable affection.

MR. HUME appears to have been misled by his prejudices, as well as by affectation. And men who write under the influence of any particular bias, are apt to deceive others as well as themselves; unless their readers are aware of the prepossessions to which they are addicted, and the false views by which they are misled. It also sometimes happens, that men affecting great freedom of thought, and originality of sentiment, and who pretend to despise vulgar prejudices, are,

are, at the same time, under the influence of inveterate prejudices of another kind, and as flavishly attached to a favourite hypothesis, as the meanest of the vulgar can be to those prepossessions which they have imbibed in their youth, and which their want of education, knowledge, and more enlarged views, has prevented them from shaking off.

No man can judge properly of the credit due to Mr. Hume's narrations, who does not compare his representations of facts, circumstances, and characters, with other historical writers. And this is a trouble which few readers are disposed to take: but those who do, will be convinced, that Mr. Hume is an historian by no means to be implicitly relied on. Some foreign writers have commended Mr. Hume's history in the most lavish terms. The reason is, they could judge of his eloquence as a writer,

and of the beauty of his work as a literary composition ; but their knowledge of our history was not sufficiently accurate and extensive, to enable them to judge of his partialities and prepossessions, and his deviations from historic truth.

I SHALL not attempt, in the following pages, to take a complete view of so large a work as Mr. Hume's History of England. But I shall point out sundry passages in that celebrated performance, which may tend to throw some light upon the character of the author as an historical writer, which may point out some of the prepossessions by which he was frequently misled, or, in consequence of which, he endeavoured to mislead his readers. And I flatter myself, that these observations may not wholly be without their use ; because so far as it may reasonably be supposed, that men are influenced

fluenced in their political conduct and sentiments by the reading of history, so far it may be of some importance to the public, what opinions are disseminated in a history of so much celebrity as that of Mr. Hume.

THAT Mr. Hume was very superficially acquainted with the earlier periods of the British History, has been shewn in a very able manner by the learned and ingenious Mr. Whitaker. It may also be observed, that, in many passages of his history, Mr. Hume seems to take a particular pleasure in degrading the national character of the inhabitants of England: and, therefore, in the earlier part of his history, he passes very slightly over those circumstances and transactions which reflect honour on the natives of this country, or which mark their courage and aversion to slavery; whilst he dwells, in a very copious manner, on those

circumstances and transactions in which they appear to disadvantage. It may possibly be supposed by some, that this accusation against Mr. Hume, is only founded on his having guarded against the national prepossessions and prejudices of preceding English historians. But this is far from being the case: and those who will take the pains to compare Mr. Hume's work with the most authentic and impartial writers on the history of this country, will find, that, in many instances, he has done great injustice to our ancestors. Whether he was led to this by his affectation of singularity, or by what other motive, I shall not take upon me to determine.

The spirited opposition made by the Britons to Julius Cæsar and the Romans, the heroism and noble behaviour of Caractacus, the bravery of Boadicea, and other striking events.

events characteristic of the courage of the ancient Britons', are very slightly passed over by this historian; whilst he dwells very

" It is observed by Mr. Whitaker, that " it is
 " one of the most singular events in the Roman an-
 " nals, and reflects a peculiar honour upon the bravery
 " of the Britons, that, in the long course of more
 " than three centuries, the Romans could never make
 " an entire conquest of the island. And this was the
 " only country in the world, I think, in which the
 " Romans reduced the greatest part of the natives, and
 " yet were for ever beat off by the small remainder
 " of them. The conquest was attempted by some of
 " the greatest generals that were produced in the an-
 " nies of Rome, was prosecuted with the greatest
 " vigour and conduct, and yet was never accomplished.
 " All the efforts of the Romans, however successful
 " at first, were finally baffled by the Britons. And
 " they still lived independent in their mountains, and
 " looked down with pity upon the rest of their bre-
 " thren, stooping to the power, and adopting the
 " manners of Italy." Hist. of Manchester, vol. ii.

p. 211.

minutely on the meanness of their applications to the Romans for assistance against the Picts and Scots, when the Romans had deserted this island, and when many of the Britons had quite lost that martial spirit by which they had formerly been distinguished, in consequence of the luxury and effemiancy which had been artfully introduced amongst them by the Romans³.

Mr. Hume was extremely desirous of representing the government of England as arbitrary, at least as much so as he could with any degree of plausibility, in the periods preceding the accession of the House of Stuart. He was led to this by his desire of vindicating, or extenuating, the tyranny of that family, under the pretence, that they found the government despotic, or

³ Vid. Hume's History of England, vol. i. p. 12, 13, 14. edit. 8vo. 1763.

nearly

nearly so, on their accession to the English throne. But notwithstanding all that he, or others, may have advanced upon this subject, there appears to have been a considerable degree of liberty in this country, from the earliest periods of which there are any notices in history. The inhabitants of Britain were antiently divided into distinct communities, governed by distinct kings. And it is observed by Mr. Whitaker, that

" the monarchies of Britain acknowledged
 " no indefeasible right of succession. And
 " they were as little absolute and arbitrary
 " in their nature. The Britons were not
 " unacquainted, though history has never
 " supposed them to be actually acquaint-
 " ed, with that properest restraint upon
 " monarchical despotism, the rational, the
 " manly, and the free institution of par-
 " liaments. No power but the royal could
 " either make or abrogate a public law.
 " And fixed upon this necessary principle

" hangs the central balance of every mon-
 " archy. But even the king could not
 " make or abrogate one without the con-
 " sent of the country. And grounded upon
 " the basis of this maxim stands all the fair
 " structure of popular liberty. The most
 " antient constitutions of Wales have ex-
 " pressly recorded the exception. The
 " terms of it carry sufficiently a reference
 " to parliamentary concurrence. And we
 " have a decisive argument for the ex-
 " istence of British parliaments, in the
 " prefaces to the laws of Howel Dha, the
 " most authentic registers of the legislative
 " authority by which they were made.
 " We there find six men summoned out
 " of every commot or century in Wales,
 " the most wise and powerful persons in
 " the kingdom, in order to meet and assist
 " the king in the great work of legislation.
 " The parliament being assembled, by
 " common council and consent, they ex-
 " amined

" retained the ancient laws, reformed and
 " cancelled some, added others, and di-
 " vided both into a regular code. And
 " this they presented to the king. The
 " monarch approved of it, and gave it the
 " ratifying sanction of his own authority,
 " and both he and the senators concurred
 " to imprecate the wrath of God, the par-
 " liament, and all the country, upon such of
 " the people as should violate, and such of
 " the kings as should abrogate, any of these
 " constitutions; unless they were annulled
 " in a council, equally national as that in
 " which they had been recently made."

Indeed, Mr. Hume himself bears some testi-
 mony to the freedom of the ancient Britons,
 before the invasion of the Romans, in the
 following passage: "The Britons," he says,
 " were divided into many small nations,

* History of Manchester, vol. i. p. 336, 337. 8vo.
 edit. 1773.

" or

" or tribes ; and being a military people,
 " whose sole property was their sword and
 " their cattle, it was impossible, after they
 " had acquired a relish of liberty, for their
 " princes or chieftains to establish any de-
 " spotic authority over them. Their go-
 " vernments, though monarchical, were
 " free, as well as those of all the Celtic na-
 " tions ; and the common people seem even
 " to have enjoyed more liberty amongst
 " them, than among the nations of Gaul,
 " from whom they were descended ."

Lord Lyttelton, speaking of the Welsh government, observes, that there was no tincture of despotism in it. " The nobles
 " and clergy," his lordship says, " were
 " consulted in all matters of state : the
 " people were free, and seem to have af-
 " fisted in the making of laws, and other

' Hume's History of England, vol. i. p. 3. ⁵²
 acts

" acts of great moment. They were op-
 " preſſed by no taxes, nor by any toilſome
 " work; and to this an antient author,
 " who was himſelf of that nation, ascribes
 " their magnanimity and courage in war.
 " *For nothing (says he) ſo raises and excites
 the minds of men to brave actions, as the
 carefulneſs of liberty: nothing, on the
 contrary, ſo dejects and diſpirits them, as
 the oppreſſion of ſervitude.*" And to
 these obſervations it may be added, that
 even after the Britons had been overcome
 by the Romans, it appears, that many of
 their antient privileges were continued to
 them, and that their internal government
 was regulated by their own laws and cuſ-
 toms⁷.

* History of the Life of king Henry II. vol. ii.
 p. 38. edit. 4to. 1767.

" Vid. Whitaker's History of Manchester, vol. i.
 p. 334.

UNDER the English Saxon kings, it appears, that the legislative power was in the great council, conjointly with the king; and it has been shewn by Mr. Tyrrel, that none of these Saxon kings could pass any laws, or make any considerable alterations in the state, without not only the advice, but consent of the great council.¹ And it is remarked by Nathaniel Bacon of the Saxons, that they were a free people, governed by laws, and those made not after the manner of the Gauls (as Cæsar noteth) by the great men, but by the people; and therefore called a free people, because they are a law to themselves.² And it has also been observed by an author just cited, and

¹ Bibliotheca Politica, p. 222. Vid. also p. 226—313.

² Historical and Political Discourse of the Laws and Government of England, p. 9. 4th edition.

who

who was eminently skilled in the political history of this country, that if an exact inquiry be made into the government of William the Norman, commonly called William the conqueror, " it will be found, " that he had no more power of making laws, without the consent of his great council, than any of his predecessors ". " The case was similar under the other princes of the Norman line: and from the Norman invasion to the present time, a period of more than seven hundred years, though there have been various occasional exertions of regal tyranny, it is certain, that a despotic government was never regularly established in this country. And it has been observed by lord Clarendon, in his piece against Hobbes, that " those laws and customs which were before the conquest, are the same which this nation or king-

“ dom have been ever since governed by
 “ to this day.” It is likewise remarked,
 by a still superior authority in matters of
 this kind, lord Coke, that “ the grounds
 “ of our common laws at this day, are be-
 “ yond the memory or register of any be-
 “ ginning, and the same which the Nor-
 “ man conqueror then found within the
 “ realm of England.”

At the battle of Hastings, the great battle which opened the way for William the Norman to the throne of England, the English, under Harold, fought with great valour. The engagement lasted from morning till sun-set; and, even according to Mr. Hume's account, there fell nearly fifteen thousand Normans in this memorable engagement. It is probable, indeed, that William would not have succeeded in his enterprize, if it had not been for the death
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of Harold : but that event left William no formidable competitor. Edgar Atheling, the presumptive heir to the crown, was thought by the English themselves incapable of the duties of government. And it is well known, that William the Norman set up a different claim to the crown from that of conquest¹¹. And though after his

victory

“ It is justly observed, in Bishop Hurd’s *Moral and Political Dialogues*, that “ William’s claim to the crown was not conquest, (though it enabled him to support his claim), but *testamentary succession*. A title very much in the taste of that time, and extremely reverenced by our Saxon ancestors.”—And even waving this specious claim, he condescended to accept the crown as a free gift ; and, by his coronation-oath, submitted himself to the same terms of administration as his predecessors.” He also “ confirmed the Saxon laws, at least before he had been many years in possession of his new dignity.”—“ Is there any thing in all this that favours

the

victory at Hastings, the English submitted to him, it was not merely as to a conqueror, who, in consequence became possessed of despotic power, but as to a prince, whose authority was to be limited by the laws and customs of the kingdom. At his coronation, Aldred, archbishop of York, who

" the notion of his erecting himself, by the sole virtue
 " of his victory at Hastings, into an absolute lord of
 " the conquered country? Is it not certain, that he
 " bound himself, as far as oaths and declarations could
 " bind him, to govern according to law; that he
 " could neither touch the honours nor estates of his
 " subjects, but by legal trial; and that even the many
 " forfeitures in his reign are an evidence of his pro-
 " ceeding in that method?" Vol. ii. p. 121, 122.
 edit. 1765. It is also very properly observed, in the
 same excellent dialogue, " that, without connecting
 " the system of liberty with that of prerogative, in our
 " notion of the English government, the tenor of our
 " history is perfectly unintelligible; and that no con-
 " sistent account can be given of it, but on the sup-
 " position of a *legal limited constitution.*" P. 126.

performed

performed the ceremony, formally asked all the English present, whether they gave their consent to have the duke of Normandy crowned king, to which they assented; and William took an oath of the same kind with that which was formerly taken by the Anglo-Saxon kings. "From whence we may observe," says Tyrrell, "that this prince was so far from claiming as a conqueror, that he accepted the crown upon the same conditions, and took the like oath, which the Saxon kings, his predecessors, had done before." Indeed, Mr. Hume himself remarks, that, "in his whole administration, he (William I.) bore the resemblance of the lawful prince, not of the conqueror; and the English began to flatter themselves, that they had

"changed, not the form of their government,

" Hist. of England, vol. ii. p. 10.

Vol. I.

S

" government,

“vernment, but only the succession of
“their sovereigns, a matter which gave
“them small concern.”

WHEN William, in 1067, went over into Normandy, he took with him many of the most considerable nobility of England: and Mr. Hume says, that “his English courtiers, willing to ingratiate themselves with their new sovereign, endeavoured to outshine each other in equipages and entertainments; and made a display of riches, which struck the foreigners with astonishment. William of Poictiers, a Norman historian, who was present, speaks with admiration of the beauty of their persons, the size and workmanship of their silver plate,

History of England, vol. i. p. 254. In the edition of 1773, this passage is in page 238 of the first volume.

“the

" the costliness of their embroideries, an
 " art in which the English then excelled;
 " and he expresses himself in such terms,
 " as would much exalt our idea of the
 " opulence and cultivation of the people." But Mr. Hume adds in a note, that¹⁵ as
 " the historian chiefly insists on the silver
 " plate, his panegyricks on the English
 " magnificence shows only how incom-
 " petent a judge he was of the matter.
 " Silver was then of ten times the va-
 " lue, and was more than twenty times
 " more rare than at present; and conse-
 " quently, of all species of luxury, plate
 " must have been the rarest¹⁶ This
 seems an extraordinary remark, and by no
 means sufficient to impeach the judgment
 of the Norman historian. If the English
 made a great display of silver plate, and
 plate was at that time extremely scarce

¹⁵ Hist. vol. i. p. 255, 256.

and valuable, nothing could be more natural, than that the historian, describing the magnificence of the English, should dwell particularly upon the circumstance.

William the Norman, soon after he was firmly settled on the throne, violated his coronation oath, and was guilty, especially in the latter part of his reign, of various acts of tyranny, inconsistent with the engagements into which he had entered. It should, however, be observed, that many of his English subjects soon gave the strongest indications of their aversion to a despotic government; and their various insurrections, though not attended with success, prove that their methods were by no means fitted to the yoke of slavery.

It is observed by Lord Lyttleton, that 'a distinction is to be made between

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the GOVERNMENT of William the First, which was very tyrannical, and the CONSTITUTION established under him in this kingdom, which was no absolute monarchy, but an ingraftment of the feudal tenures, and other customs of Normandy, upon the antient Saxon laws of Edward the Confessor. He more than once swore to maintain those laws, and in the fourth year of his reign confirmed them in parliament; yet not without great alterations, to which the whole legislature agreed, by a more compleat introduction of the strict feudal law, as it was practised in Normandy; which produced a different political system, and changed both power and property in many respects; though the first principles of that law, and general notions of it, had been in use among the English

some ages before. But that the liberty of the subject was not destroyed by these alterations, as some writers have supposed, plainly appears by the very statutes that William enacted, in one of which we find an express declaration, "That all the freemen in this kingdom should hold and enjoy their lands and possessions free from all unjust exaction, and from all tallage; so that nothing should be exacted or taken of them, but their free service, which they by right owed to the crown, and were bound to perform." It is farther said, "That this was ordained and granted to them as an hereditary right for ever, by the common council of the kingdom".

THESE observations of the noble historian are unquestionably just; and yet

" Hist. of the Life of King Henry the Second, vol. i. p. 41, 42. edit. 4to. 1767.

we

we are told by Mr. Hume, that William the First, "acted in every thing as ABSOLUTE MASTER over the natives, whose interests and, affections he totally disengaged;" and that, "it would be difficult to find, in ALL HISTORY, a revolution more destructive, or attended with a more compleat subjection of the ancient inhabitants."¹⁶ These are very extraordinary assertions, and as ill-grounded as they are extraordinary; but such unwarrantable assertions are not uncommon in Mr. Hume's history.

OUR historian also says, that William "had rendered himself UNIVERSAL PROPRIETOR of England";¹⁷ and he speaks of the English as having "tamely surrendered themselves, without resistance,

¹⁶ Hume's Hist. vol. i. p. 302, 303.

¹⁷ P. 295.

"to a tyrant and a conqueror". But this is certainly a very gross misrepresentation. The English had fought against the Normans, at the battle of Hastings, with great gallantry; and if they submitted afterwards to William, it was because their prince Harold, in whom only they had any confidence, was killed; and because the Norman claimed a right to the crown by a supposed designation of king Edward the confessor; and when they received William as their king, it was under the idea of a lawful prince,

*P. 263.

" Mr. Tyrrell observes, that though the number of the killed at the battle of Hastings is not exactly ascertained; yet " it is acknowledged on all hands " that there were so many on the Normans side, as " well as the English, that nothing but the over " ruling providence of God, by the death of their " king, could have given it (the victory) away from " them to their enemies." Vol. I. p. 114.

who

who was to govern according to the ancient customs and usages of the kingdom. Mr. Hunter also speaks of the natives of England as being universally reduced to a state of nakedness and poverty during the reigns of this prince, but nothing that was by no means the case, has been sufficiently shewn by the Lydians. It need not be argued that

Dark accounts of the transactions of the great council of the nation are very imperfect, during the reigns of the first princes of the Norman line: but when we reflect how scanty an account is given of parliamentary proceedings even in much later reigns, in some of our general histories of England of very modern date, we can hardly wonder, that in the dark and monkish ages, when ignorance and barbarism had overspread the face

of Europe, our accounts of the proceedings of the great national assemblies, should be exceedingly imperfect. And yet in the darkest ages, we find that there were national assemblies in England, and that the power of the prince was limited, though not with the accuracy and precision that it ought to have been; but this could not justly be expected, in ages when the true principles of government and legislation were so little understood.

In a speech made by king Henry I. youngest son to William I. in a meeting of the great men of the realm, which is preserved by Matthew Paris, is the following passage: " I, truly a king, meek, humble, and peaceable, will serve and cherish you in your **ANTIENT** liberties, which I have formerly sworn " to

“ to observe.”²¹ And a charter was also granted by this prince, for the securing and confirming to the people the possession of their ancient liberties²²; and lord Lyttleton observes, that, “ in some respects, this charter of Henry the First was more advantageous to liberty, than Magna Charta itself.” The noble historian also remarks of this charter, from Sir Henry Spelman, that “ it was the original of king John’s Magna Charta, containing most of the articles of it, either particularly expressed, or in general, under the confirmation it gives to the laws of Edward the Confessor.”—So “ mistaken are they,” says lord Lyttleton, “ who have supposed that all the privileges granted in Magna

²¹ Parliamentary Hist. of England, vol. i. p. 10.

²² Ibid. p. 20. Vid. also lord Lyttleton’s Hist. of Henry the Second, vol. i. p. 98, 99.

City into which this charter had fallen, it is founded on a passage in Matthew Paris, which lord Lyttleton has shewn to be of very little weight¹⁵; in which opinion the noble writer is supported by judge Blackstone.

IN a meeting, which the writers of the parliamentary history of England term "a convention of the estates," held in 1136, by king Stephen, successor to Henry I. that prince signed a charter, in which he promised, that he would "well and truly keep all the good old laws and customs in all cases whatsoever." In 1155, a parliament was assembled by king Henry II. for a remarkable purpose, of which no notice is taken by Mr. Hume, but of which the following account is given by lord Lyttleton. "Henry

¹⁵ Hist. vol. i. p. 487, 488.

" called

Mr. Hume, speaking of this charter of Henry II observes, that after the present turn was served, the prince “ ~~never once~~
 “ I thought, during his reign, of observing
 “ one single article of it ; and the whole
 “ fell so much into neglect and oblivion,
 “ that, in the following century, when
 “ the barons, who had heard an obscure
 “ tradition of it, desired to make it the
 “ model of the great charter, which they
 “ exacted from King John, they could
 “ only find one copy of it in the whole
 “ kingdom.” Our historian appears here
 to have done great injustice to the admini-
 stration of Henry I. whose government
 was far from being of that arbitrary na-
 ture which he has represented it “ ; and
 as to his assertion respecting the obseu-

[“] See this very clearly shewn by lord Lyttleton,
 Hist. vol. i. p. 100, 101, 158.

" cause to the eldest son of the king,
 " it would not have been necessary to
 " summon a parliament purely on this
 " account."⁴⁰ His lordship also observes,
 that " in another parliament held at Lon-
 " don soon after this time, or rather in
 " the same, adjourned to that city, he
 " (Henry II.) granted to his people a
 " charter of liberties, confirming that of his
 " grandfather, king Henry the First."⁴¹
 And the same noble writer, speaking
 of the state of the English government at
 this time, says, that though it was not
 equal to the wisdom of the present con-
 stitution, yet " from the mixture of Saxon
 " customs, which mitigated and tem-
 " pered the Norman institutions, it was

⁴⁰ History of the Life of King Henry the Second, vol. ii. p. 14.

⁴¹ P. 15. The charter, mentioned above, is in-
serted in the appendix to Lord Lyttelton's history.

" the

" the best feudal government subsisting, at that time, in any part of the world ;" does not appear difficult to be satisfied with this kind of logic.

In the representation, which, Mr. Hume has given of the ravages committed by king John, and his foreign troops, after he had resolved to violate, the great charter, which, he had solemnly sworn to observe, these violences and depredations of the king and his foreign mercenaries seem to be much exaggerated, at least as to their extent. John unquestionably acted like a perjured tyrant ; and, the barbarity and injustice which he exercised towards his subjects, in various parts of England, rendered him a just object of detestation. But there appears no sufficient reason for supposing, that he laid waste the kingdom to the extent that is

represented by Mr. Hume²⁹." And though the barons did not make so vigorous an opposition, as might justly have been expected, to the outrages of John; and though the opposition they did make was not conducted in the most judicious manner; it yet appears, that many of them immediately took up arms, and made some very spirited efforts against those, whom they considered as the supporters of the tyranny of the King³⁰:

Mr. Hume's observations relative to the charter granted by king Henry III. at the beginning of his reign, and the other charters granted by the preceding princes, appear to be very just; though, perhaps, not quite consistent with his

²⁹ Hist. vol. ii. p. 96. edit. 1763.

³⁰ Vid. Tyrrell's Hist. of England, vol. ii. p.

representations and remarks in other places. These famous charters, he says, " were, " during many generations, the darling " of the whole English nation, and " esteemed the most sacred rampart to " national liberty and independence. As " they secured the rights of all orders of " men, they were regarded with a jealous " eye by all, and became the basis, in a " manner, of the English monarchy, and " a kind of original contract, which both " limited the authority of the king, and " insured the conditional allegiance of his " subjects. Though often violated, they " were still claimed and recalled by the " nobility and people; and, as no preced- " ents were supposed valid that infringed " them, they rather acquired, than lost " authority, from the frequent attempts " made against them in several ages, by

“ regal and arbitrary power ”.” But notwithstanding these liberal remarks, Mr. Hume, in other passages of his work, mentions one of Henry the Third’s charters, as “ being copied from the “ former CONCESSIONS EXTORTED from “ John ”;” he also speaks of the barons having “ IMPOSED on John and his suc-
“ cessors limitations of the royal power ”;” and says farther, that “ the licentious and “ powerful barons ” had “ *broken the reins* “ *of subjection to their prince, and obtained* “ *by violence, an enlargement of their* “ *liberties and independence* ”.”

THOSE princes who have been de-
throned, in consequence of the folly or

²¹ Hist. vol. ii. p. 149, 150. In the edition of 1773, this passage stands in the 147th page of the second volume.

²² P. 148.

²³ P. 179.

²⁴ P. 155.

iniquity

iniquity of their government, seldom fail to meet with an advocate in Mr. Hume. Thus we find him grossly palliating the conduct and administration of Edward II. Richard II. and Charles I. Of Edward II. he says, that "it is not easy to imagine a man more innocent and inoffensive than this unhappy king; nor a prince less fitted for governing that fierce and turbulent people, subjected to his authority."²³ That Edward was a weak prince is very certain; and it appears also sufficiently manifest, that he was vicious as well as weak. If his incapacity was not a sufficient ground for the opposition of his subjects, the vices of his administration undoubtedly were. At the very commencement of his reign, and before the interment of his father,

²³ Hist. of England, vol. II. p. 360. edit. 8vo.

he arbitrarily imprisoned Walter de Langton, bishop of Litchfield and Coventry, and seized his effects. And this appears to have been an act of personal revenge in the king, and is not very consistent with that inoffensive character which Mr. Hume attributes to him.²⁶

Pierce Gaveston, his favourite, distinguished himself by the arrogance of his behaviour. He was also charged with abusing the King's ear by obtaining immoderate grants for himself, with embezzling the treasure of the Kingdom,

²⁶ The above-mentioned prelate had complained to king Edward I. of the improper attachment that his son, prince Edward, had to Pierce Gaveston, who gave him ill counsel, and led him into loose and debauched courses. And this young Edward shewed his resentment of, in the most arbitrary manner, when he ascended the throne,

and

and taking the best jewels of the crown to his own use: all which occasioned a sentence of perpetual banishment to be solemnly passed against him, in parliament, in 1308. And though the king himself agreed to this sentence, and publickly ratified it, yet Gaveston afterwards returned to England, where the king openly took him into favour, and transacted public affairs solely by his advice. The favourite also, after his return, treated the most considerable men in the kingdom with the greatest insolence; which so exasperated them, that we are informed, by some of our historians, the earls and barons "plainly told the king, that unless he would banish Pierce Gaveston, they would all rise against him as a perfidious prince." But he was so far from being inclined to consent again to the banishment of his

favourite, that he sent over to Gascoigne, to procure troops to defend Gaveston, by force, in his continuance in England.

Such was the folly of this prince, that he acted all things by the sole influence of his favourite; whose indiscretion, as well as covetousness, was such, as to leave the king's coffers so bare of money, that he had not sometimes wherewithal to defray the usual expences of his family; and the queen herself was so straitened for her necessary allowance, that she was forced to write letters of complaint to her brother, the king of France." And it was alleged by the lords, in their accusation against Gaveston, " that the

" Tyrrell's General Hist. of England, vol. iii.
p. 234. " laws

“ laws and customs of the kingdom were
 “ not observed, nor the ordinances, lately,
 “ made, regarded, but openly violated and
 “ broken at his pleasure.”

AFTER the death of Gaveston, the affairs of the kingdom were committed, by Edward, to his two other favourites, the Spencers, father and son ; and their acts of violence and injustice were ratified by him. The earl of Lancaster, though a prince of the blood, was put to death in an irregular and illegal manner. This nobleman, whilst he lived, was some check upon the king ; but of his administration, after the death of Lancaster, the following representation is given : “ After the return of the De Spencers, and the death of the earl of Lancaster, the king, looking upon himself as absolute lord and master over all his kingdom, grew

"grew much worse than ever he had
 "been before; slighting the nobility,
 "and giving himself up to avarice, by
 "invading other men's properties, and
 "to as great luxury in the spending of it,
 "sparing none that had opposed him,
 "but made it a pretence to enrich him-
 "self by the forfeiture of their estates"."

And in the articles of mal-administra-
 tion, brought against this king in parlia-
 ment, it is said, that "whereas he was
 "bound by his oath to do right to all,
 "he would not do it for his own profit,
 "and the covetousness of him and his
 "evil counsellors who were with him;
 "neither regarded the other points of
 "the oath which he made at his corona-
 "tion, as he was obliged. Also he aban-
 "doned his realm, and did as much as
 "in him lay to destroy it, and his peo-"

²³ Tyrrell, vol. iii. p. 293.

" ple;

“ ple; and, what is worse, by the
 “ city and the defaults of his person, he
 “ is found incorrigible, and without
 “ hopes of amendment. All which things
 “ are so notorious, they cannot be gain-
 “ said.”

IN Mr. Hume's representation of the transactions in the reign of king Richard the Second, he is also extremely partial to that prince. He admits, indeed, that he was “ a weak prince, unfit for go-
 “ vernment;” but he takes abundant pains to palliate his misconduct and ty-
 ranhy. And in the introduction to his account of the civil wars between the two houses of York and Lancaster, he says,
 “ The English were now to pay the se-
 “ vere, though late penalty, of their TUR-
 “ BULENCE under Richard II. and of their
 “ LEVITY in violating, WITHOUT ANY

NECES-

"NECESSITY OR JUST REASON, the usual
succession of their monarchs³⁹." It is,
however, certain, that the government of
Richard II. was sufficiently oppressive to
justify an opposition to it; and we cannot
suppose, that any faithful or impartial
historian, would have imputed the depo-
sition of this prince either to the TURBU-
LENCE OR LEVITY of the English.

EARLY in this king's reign, by his
own authority, and that of his privy
council, he assumed a power of dispensing
with the laws which had been solemnly
agreed upon in parliament.⁴⁰ And when
both houses joined in an accusation against
his favourite, Michael de la Pole, earl of
Suffolk, and desired that he might be

³⁹ Hist. of England, vol. i. p. 180. edit. 1773.

⁴⁰ Vid. Parliamentary Hist. of England, vol. i.
p. 393.

removed

removed from the chancellorship, he sent them word, that “ he would not for them, or at their instance, remove the ‘ meanest scullion-boy in his kitchen.’ ” He also threatened the parliament afterwards, on their making a vigorous opposition to his proceedings, that he would call in his cousin, the king of France, and from him ask advice and aid; nay, even submit himself to him rather than truckle to his own subjects⁴⁴. And in the articles exhibited against Richard, at the time of his deposition, it was asserted, that, in the presence of many lords, as well as commoners, he had frequently said and affirmed, “ that the life of every one of his subjects, and his lands, tenements, goods, and chattels, are his, the said

⁴⁴ Tyrrell's Hist. of England, vol. iii. p. 891.

⁴⁵ Tyrrell, p. 892, 893.

king's,

" king's, at his will and pleasure, without
" any forfeiture ". "

RICHARD was also guilty of the most unjustifiable practices with respect to the parliament, and the election of its members ". And by tampering with the judges,

" Parliamentary History, vol. ii. p. 24.

" Tyrrell says, " The king, by certain indirect
" practices, and tampering with the sheriffs of se-
" veral counties, whom he had new made for this
" purpose, caused them to return such knights of
" shires, without any due elections, as he had be-
" fore named, and sent down to them; and this
" is worth our observation, because it is the first
" example of any king's making use of an arbitrary
" and illegal power in this kind." P. 964. And
we are informed, in the *Parliamentary History*, that
Richard's council of state commanded the sheriffs
" to suffer none to be returned as knights or bur-
" gesses in parliament, but SUCH AS THE KING AND
" HIS COUNCIL SHOULD NOMINATE." Vol. I.
p. 432:

he

he brought them to give the most shameful opinions, in support of his arbitrary proceedings. Among other opinions which were given by these judges, Trebilian, Belknappe, &c. were the following: That no matters ought to be brought on in parliament, but agreeably to the king's directions: " and if any act contrary to the king's pleasure was made known therein, they are to be punished as traitors." That the lords and commons cannot, without the will of the king, impeach in parliament any of his judges or officers: " and if any one should do so he is to be punished as a traitor." But infamous as these opinions are, Mr. Hume informs us, that " there want not plausible reasons to justify these opinions of the judges."⁴ The parliament of

⁴ Parliament. Hist. vol. I. p. 433, 434.

⁴ Hist. vol. iii. p. 19. edit. 1773.

that

that age, however, thought more justly; and these prostituted judges were afterwards convicted of high treason for advancing these opinions; nor were any "plausible reasons" then found, which were deemed sufficient for their exculpation.

Mr. Hume says, that Richard did not impose "any arbitrary taxes: even the parliament, in the articles of his deposition, though they complain of heavy taxes, affirm not that they were imposed illegally, or by arbitrary will." But a very different account is given by Mr. Tyrrell, and much more conformable to truth. He says, "that the profits and revenues of the crown, nay, of the whole kingdom, were let to farm to certain favourites, who cruelly racked and oppressed the subjects.

" Hist. vol. iii. p. 43.

" And

" And, as an instance of this, great sums
 " of money were, by new-found and un-
 " wonted means, every day rather ex-
 " torted than borrowed from all sorts of
 " people, whereof no advantage accrued
 " to the kingdom, only the king's pri-
 " vate pleasures were maintained at an
 " extravagant rate, and unworthy favour-
 " ites advanced. To which we may add,
 " that the king was so exceedingly liberal,
 " or rather prodigal, that he was forced
 " to borrow and extort money from many
 " persons, to supply this vain, lavish hu-
 " mour ; undoing many without cause, to
 " enrich a few without desert. Over and
 " above tenths and fifteenths, and other
 " usual taxes, which were sometimes ga-
 " thered twice in a year, other strange
 " impositions were devised and put in prac-
 " tice ; for he had often extorted great
 " sums from the people, under the colour

" of benevolence, besides what was bor-
 " rowed upon privy seals; so that no man
 " of ability could escape those loans, though
 " of these seldom any re-payment was
 " made."

Mr. Hume treats, in a very slight and
 cursory manner, the articles exhibited
 against Richard at the time of his depo-
 sition, as if the accusations brought against
 him in parliament were not very consider-
 able. But, in these articles, he was charged
 with violating his coronation oath, with
 countenancing acts of the greatest violence,
 even robberies, rapes, and murders; and
 with imposing oaths on his subjects at his
 pleasure, " that he might the more freely
 " execute and follow the humour of his
 " foolish and unlawful will."

⁴⁴ Hist. of Eng. vol. iii. p. 992.

ONE of the articles against Richard is, that " the said king, not willing to keep " or protect the just laws and customs " of his kingdom, but, according to his " arbitrary will, to do whatsoever should " occur to his desires, sometimes, and " very often, when the laws of his king- " dom have been expounded and declared " to him by the judges, and others of his " council, and that they have desired that " he would do justice according to those " laws, hath expressly, and with an angry " and haughty countenance, said, *That his* " laws were in his mouth; and sometimes, " *That they were in his breast*; and, *That* " be himself alone could make and change " the laws of his kingdom: and, being so- " duced with that opinion, did not suffer " justice to be done to very many of his " liege people; but, by threats and terrors,

“ hath forced very many to cease from the
“ prosecution of common justice.”

IN the twenty-fifth article against him, it is said, that “ he was so variable and “ dissembling in his words and actions, “ and so contrary to himself, especially “ in writing to the pope, kings, and other “ lords out of the kingdom, as well as “ within it, and also to his other sub- “ jects, that no man living, knowing what “ he was, could confide in him ; yea, he “ was reputed so unfaithful and inconstant, “ that he not only became a scandal to his “ own person, but also to the whole king- “ dom, and to all foreigners, when once “ they came to know him.”

RICHARD attempted, in an arbitrary and unjust manner, to deprive Henry, duke of

¶ Parliamentary Hist. vol. II. p. 18.

Hereford,

Hereford, of his succession to the honours and estates of his father, the duke of Lancaster; and ordered Henry Blewett to be banished for life, for no other crime than acting as the duke's agent, and endeavouring to obtain justice for him. He also seized the charter of the city of London, and gave such great offence to the citizens, by his arbitrary treatment of the corporation, that this is supposed greatly to have facilitated his deposition.

To enumerate all the articles exhibited against Richard the Second, or to examine how far each of them can be supported by evidence, would exceed the intended limits of this publication. It will be sufficient for our purpose, if what has been already advanced relative to the government of this prince, proves its tyrannical nature, and

U 3 that

that the account of his reign given by Mr. Hume is partial and fallacious.

It must, indeed, excite some surprize in the unprejudiced reader, to find, that our historian is so far from giving a just representation of the despotic administration of Richard, that he even makes it a matter of doubt, whether this prince had been guilty of any acts of oppression at all. "Had he," says our author, "possessed the talents of gaining, and still more those of over-awing, his great barons, he might have escaped all the misfortunes of his reign, and been allowed to carry much farther his oppressions over the people, **IF HE REALLY WAS GUILTY OF ANY;** without their daring to rebel, or even to murmur against him⁵⁰."

⁵⁰ Hist. of Eng. vol. III, p. 53.

WHEN

WHEN Mr. Hume comes down to a lower period, to the history of the princes of the house of Tudor, he is not equally chargeable with extenuating their tyranny. On the contrary, his representation of it is, in some respects, much exaggerated: his design in which manifestly was, to make their conduct serve as an apology for the princes of the house of Stuart. It may be considered as a kind of favourite hypothesis with him, that the English government was little better than despotic at the accession of James the First; and, in order to support this, he has laboured to carry the ideas of his readers, respecting the arbitrary government of the Tudors, far beyond the truth. It cannot be denied, that there were many flagrant stretches of power under the princes of the house of Tudor. But it may be remarked, that several causes prevented the people from making, at this

U 4 period,

period, a more vigorous opposition to the encroachments of the crown. It is justly observed by lord Lyttleton, that “ there is no time of greater danger to liberty, than the first calm that succeeds to a long continuance of intestine commotions.” This was precisely the case at the accession of the house of Tudor. The nation was wearied and exhausted by the long and destructive wars between the houses of York and Lancaster. The antient nobility were in great part cut off in the course of these wars ; and the people, dispirited and enfeebled by the calamities they had suffered, were inclined to bear considerable injuries, with a degree of patience to which they had not been accustomed, rather than involve themselves again in the miseries of civil war.

HENRY

HENRY the Seventh, the first prince of the Tudor line, was a wary and a crafty prince, studious to enrich his coffers, and to extend his prerogative; and he artfully availed himself of every circumstance in his favour. Nathaniel Bacon says of him, that, “ casting his eye upon the government, and finding it of a **MIXED TEMPER**, wherein if royalty prevails not, “ popularity will; like a good soldier, “ whilst his strength is full, he fallies upon “ the people’s liberties, in regard of their “ persons, with such cunning conveyance, “ as he taught the people to dance more “ often and better to the tune of prerogative and allegiance, than all his predecessors had done. Nor did the people “ perceive it, till they were over their “ shoes; and then they clearly saw their “ condition.” However, it is mentioned

“ Historical and Political Discourse on the Laws and Government of England, part II. p. 114;

by

by lord Bacon, as one of the reasons which induced Henry to hasten the calling his first parliament, that “ he made this judgment, “ that it was fit for him to hasten to let “ his people see, that he meant to govern “ by law, howsoever he came in by the “ sword.”

THE son and successor of this prince, Henry the Eighth, who was arrogant, fearless, and impetuous, and who yet had many popular qualities, was not a prince under whose administration the nation could have any great probability of regaining any privileges which had been usurped from them; unless by the most animated exertions, and by drawing the sword against him. But they were not prepared for this, and therefore submitted to many violent acts of power, and to great extensions of the prerogative. It must not, however,

be

be supposed, that the people of that age did; therefore, generally consider the prince, as possessed of a right to act in that manner by the antient constitution. They certainly did not consider him as having that right: and though the prerogatives of the prince, and the privileges of the people, were not exactly ascertained; yet the latter considered themselves as having as just a claim to their antient and accustomed privileges, as the prince had to the prerogatives of his crown. Nor can occasional instances of tyrannical behaviour in the prince, be admitted to be any just proof of an established despotism.

HENRY the Eighth was one of the most arbitrary princes who ever swayed the scepter of England; and yet in his reign it was solemnly declared, that the supreme authority was vested in the king, lords, and commons; which can give us no other idea than

than that of a limited monarchy. In the preamble to an act passed in the twenty-fifth year of the reign of this prince, is the following passage : " It standeth, therefore, " with natural equity and good reason, that " in all and every such human laws made " within this realm, or induced into this " realm by the said sufferance, consents, " and custom, your royal majesty, and your " lords spiritual and temporal, and com- " mons, representing the whole state of " your realm, in this your high court of " parliament, have full power and au- " thority not only to dispense with those, " and all other human laws of this your " realm, as the quality of the persons and " matter shall require ; also the said laws, " and every of them, to abrogate, annul, " amplify, and diminish, as it shall seem " to your majesty, and the nobles and com- " mons of your realm, present in your
" parlia-

" parliament, meet and convenient for the
" wealth of your realm."

HOWEVER arbitrary, on some occasions, might be the behaviour of the king and his ministers, it is manifest, that the people thought they had rights and privileges, by the antient constitution of the kingdom, which the king ought not to violate. It is also evident, that they considered themselves as having a right to judge of the propriety of granting subsidies to the king, and that their property was not to be taken from them without their own consent. And when cardinal Wolsey, in the height of his power, went to the house of commons, in order to reason with those who opposed granting the taxes required by the king, they refused to reason with him upon the subject ¹²."

¹² Lord Herbert's Hist. of the Reign of Henry the Eighth, p. 146. edit. 1649.

IN 1525, when commissions were issued for levying taxes without parliamentary authority, lord Herbert says, " the people " in general took it so ill, that it was like " to have grown to a rebellion ; alleging," among other reasons, " that these com- " missions were against the law." And though Henry, and his minister the cardinal, occasionally used very arbitrary language, yet this haughty monarch, on finding the opposition of the people, thought proper to lower his tone, and, " by letters " sent through all the counties of England, " declared, he would have nothing of them " but by way of benevolence ⁵³ : "

THIS arrogant prince also, on other occasions, sometimes thought it necessary to cajole his subjects, and even to assume some appearance of humility, and to testify his

⁵³ Herbert, p. 172.

gratitude

gratitude for the supplies they afforded him. Thus, in a speech made by him in parliament, in 1545, in answer to an oration addressed to him by the speaker of the house of commons, Henry expressed himself in the following terms: "I, taking upon me " to answer your eloquent oration, Mr. " Speaker, say, that where you, in the " name of our well-beloved commons, " have both praised and extolled me for " the notable qualities that you have con- " ceived to be in me, I most humbly thank " you all, that you have put me in re- " membrance of my duty, which is to en- " deavour myself to obtain and get such " excellent qualities, and necessary virtues, " as a prince or governor should or ought " to have; of which gifts I recognize " myself both bare and barren: but of such " small qualities as God hath endued me " withal, I render to his goodness my most

humble

" humble thanks, intending, with all my
 " wit and diligence, to get and acquire to
 " me such notable virtues and princely
 " qualities, as you have alleged to be in-
 " corporated in my person. These thanks
 " for your loving admonition and good
 " council first remembered, I leftsoons thank
 " you again; because that you, consider-
 " ing our great charge, not for our pleasure;
 " but for your defence; not for our gain;
 " but to our great cost which we have
 " lately sustained, as well in defence against
 " our and your enemies, as for the con-
 " quest of that fortres, which was to this
 " realm most displeasant and noisome, and
 " shall be (by God's grace,) hereafter to
 " our nation most profitable and pleasant;
 " have freely, of your own minds, granted
 " to us a certain subsidy, here in an act
 " specified, which verily we take in good
 " part, regarding more your kindness than
 the

" the profit thereof, as he that setteth more
 " by your loving hearts, than by your
 " substance."

It is certain, that the power of the crown was exceedingly aggrandized; when the authority of the Roman pontiff was thrown off in England. His spiritual power being transferred to the king, and added to the other regal prerogatives, rendered the authority and influence of the prince much too great for the safety and happiness of the people. But it should be considered, that this accession of power to the crown arose from an extraordinary coincidence of circumstances, which the nation could not foresee, for which they were not prepared, and with the tendency and consequences of which they were not acquainted. They had severely felt the evil of papal usur-

• Herbert, p 534, 535.

pation and oppression; they were therefore anxious to throw off the Roman yoke; and did not sufficiently consider, the danger to which they exposed themselves and their posterity, by transferring a similar authority to the king. Had they been sufficiently enlightened, they would have thrown off the authority of the Roman pontiff, without investing the crown with powers of a similar nature.

By his account of the reign of queen Elizabeth, whose disposition and conduct were certainly much too arbitrary, Mr. Hume says, that "the maxims of her reign were conformable to the principles of the times, and to the opinion which was generally entertained with regard to the constitution";³³ and at the same time informs us, that the following was the

³³ Hist. vol. V. p. 188. edit. 1763.

³⁴ opinion

" opinion which Elizabeth entertained of
 " the duty and authority of parliaments."—
 " They were not to canvas any matters of
 " state: still less were they to meddle with
 " the church. Questions of either kind
 " were far above their reach, and were ap-
 " propriated to the prince alone, or to those
 " councils and ministers with whom he
 " was pleased to intrust them. What then
 " was the office of parliaments? They
 " might give directions for the due tanning
 " of leather, or milling of cloth; for the
 " preservation of pheasants and partridges;
 " for the reparation of bridges and high-
 " ways; for the punishment of vagabonds
 " or common beggars. Regulations con-
 " cerning the police of the country came
 " properly under their inspection; and the
 " laws of this kind which they prescribed,
 " had, if not a greater, yet a more durable
 " authority, than those derived solely from

“ the proclamations of the sovereign”⁶.” &c. But notwithstanding this extraordinary representation of Mr. Hume, it is certain, that even in that reign, much juster sentiments were entertained of the power and authority of English parliaments. Of this we have the fullest and most unquestionable evidence, in the writings of John Aylmer, bishop of London in the reign of queen Elizabeth, and of Sir Thomas Smith, secretary of state to that princess. In a piece written by Aylmer, and printed in 1559, is the following passage: “ The regiment of England is not a mere MONARCHY, as some, for lack of consideration, think; nor a mere OLIGARCHY, nor DEMOCRACY; but a mixed rule of all these. Wherein each one of these have, or should have, like authority. The image whereof, and not the image, but

⁶ Hist. ubi supra, p. 187.

the

" the thing indeed, is to be seen in the
 " parliament-house ; wherein you shall
 " find these three estates, the king or queen;
 " which representeth the MONARCHY ;
 " the noblemen, which be the ARISTO-
 " CRACY ; and the burgesses and knights,
 " the DEMOCRACY. The very same had
 " Lacedemonia, the noblest and best go-
 " verned city that ever was. They had
 " their king, their senate, and THIRTA-
 " GRETES; which were for the people.
 " As in Lacedemonia, none of these could
 " make or break laws, orders for war or
 " peace, or do any thing without the other;
 " the king nothing without the senate and
 " commons, nor either of them, or both,
 " without the king; albeit the senate and
 " king had greater authority than the
 " king had. In like manner, if the parlia-
 " ment use their privileges, the king can or-
 " dain nothing without them : if he do, it is

“ his fault in usurping it, and then shortly
 “ in permitting it. Wherefore, in my
 “ judgment, those that in king Henry’s
 “ days would not grant him, that procla-
 “ mations should have the force of a sta-
 “ tute, were good fathers of the country;
 “ and a worthy commendation in defending
 “ their liberty.”²⁷ And in the same
 “ tract, he saith, “ That the Parliament
 “ of England is the greatest power in the
 “ world, and that the King is but a
 “ servant to it, and that the King
 “ may not command the Parliament to do
 “ any thing, but what the Parliament
 “ will command him to do.”
 ——————
 Sir Thomas Smith, in his treatise of
 the “Common-wealth of England,” also
 expresseth himself thus concerning the power
 and business of parliaments: “ The parlia-
 “ ment arrogateth old laws, and maketh
 “ new; giveth order for things past, and
 “ for things hereafter to be followed;
 “ changeth right and possessions of private
 “ men, legitimateth bastards, establisheth
 “ forms of religion, reareth weights and

²⁷ Vid. Strype’s Life of bishop Aylmer, p. 269.
 270. “ measures,

“measures, giveth form of succession to
 “the crown, defineth of doubtful right,
 “wherof is no law already made; set
 “pointeth subsidies, tailles, taxes, and im-
 “positions; giveth most free pardons and
 “abolutions, restoreth in blood and names
 “as the highest court, condemneth or absolveth
 “them whom the prince will put
 “to that trial. And, to be short, all that
 “over the people of Rome might do
 “either in *Centuriis, Centurie, or Tribus*
 “*regis*, the same may be done by the
 “parliament of England.” Theſe
 tracts are ſufficient to prove the fallacy of
 Mr. Hume’s representations, notwithstanding
 the high notions which Elizabeth her-
 self entertained of the proſecution. But
 our author ſometimes loves to make this

¹¹¹ Smith’s *Common-wealth of England*, p. 77,
 edit. Lond. 1633. Vid. *British Biography*, 8vo.
 vol. iii. p. 241, 242.

reader's stare; and therefore he has taken pains, in another part of his account of the reign of Queen Elizabeth, to point out those particulars in which the government of England resembled that of Turkey.

That Mr. Hume displayed the originality of his genius as an historic writer; for certainly no common author would have thought of comparing the constitution of the English government, which has been so long celebrated for its freedom, to one of the most despotic governments in the world. If it be right to compare it to a pigsty, or to a den of savages.

Mr. Hume, in his account of his own life, lately published, p. 23, says, that "it is ridiculous to consider the English constitution, before the period of the accession of the house of Stuart, as a regular plan of liberty." And it is very

^{so} Hume's Hist. vol. v. p. 479.

true,

true, that the liberties of the people were not ascertained with the accuracy that they ought to have been; and that there were too many instances of improper submission to unjust stretches of power in the prouince; but notwithstanding this, the English go-
vernment, from the earliest ages, has man-
ifestly been characterized by a spirit of lib-
erty; and the traces of a limited govern-
ment are discernible, even in the darkest
ages. They found no wrong agitating in
the English Government, to make it a
Mr. Hume, in his Essays, quotes a pas-
sage from Sir Walter Raleigh, in which
the king of England is spoken of under the
title of an *ASSOLUTIS MONARCH*¹; in or-
der to show, that men's ideas of the English
government were then very different from
what they are at present. But upon this

¹ Political Discourses, second edition, Edinb.
1752, p. 257.

It may be observed, that when the phrase *absolute prince* was formerly sometimes applied to the king of England, it was evidently used upon a different scale from that which we now affect the words *absolute regent*. It was equivalent to the affirmation, that the crown of England was independent by which nothing more was meant, than that the king of England was an independent prince, and not under the control of any foreign power. In an act passed in the 24th year of the reign of Henry the Eighth, it is said, that " this realm of England is " an empire governed by one supreme head " and king, and the crown or royal au- " thority is also thereby declared imperial;" upon which it is justly observed by Mr. Tyrrell, who supports his opinion by the authority of Selden, " that this supremacy " or freedom from all subjection, is not " only challenged by our English sove- " reigns;

“ reigns; but also by the kings of Denmark, Sweden, and Poland; the former of which yet was so far from being
“ an absolute monarch, that before the
“ reign of this king’s father⁴, he might
“ have been deposed for tyranny, or whif-
“ government, by the states of the kingdom
“ death, as the king of Poland may at this
“ day. And, therefore, these titles may
“ indeed prove a freedom from all foreign
“ jurisdiction, but do not prove that the
“ king is endued with an absolute fore-
“ reign power, within the kingdom⁵.
No just argument, therefore, in support
of Mr. Hume’s hypothesis, can be drawn

⁴ The government of Denmark was rendered despotic in 1660, in the reign of Frederick the Third.

⁵ Tyrrell’s Bibliotheca Politica, or an Enquiry into the antient Constitution of the English Government, p. 215.

from the passage cited by him from Sir Walter Raleigh, nor from another which he has quoted from Winwood for the same purpose. In the former of which, he says, "I do not know what to say to it." In his account of the origin of the reformation, Mr. Hume has given an injurious representation of the circumstances and motives which induced Martin Luther to promote that great event; and Dr. MacLaine, in his translation of Mosheim's Ecclesiastical History, has very properly anticipated on the insinuations against Luther, thrown out by Mr. Hume, and shewn them to be erroneous and ill-grounded. But, indeed, his account of the reformation in general, and his characters of those by whom it was effected, are by no means fair and impartial, but, in many respects, justly deserving of great censure. In the first edition of his History of Great Britain,

under

under the house of Stuart, printed at Edinburgh in 4to. in 1754, his account of the reformers was, however, more injurious than in the present editions of his work. In that edition is the following passage :

“ The first reformers, who made such furious and successful attacks on the Romish superstition, and shook it to its lowest foundations, may safely be pronounced to have been UNIVERSALLY inflamed with the highest enthusiasm. These two species of religion, the superstitious and fanatical, stand in diametrical opposition to each other ; and a large portion of the latter must necessarily fall to his share, who is so courageous as to controul authority, and so assuming as to obtrude his own innovations upon the world. Hence that rage of dispute which every where seized the new religionists ; that disdain of ecclesiastical subjection ;

that

" that contempt of ceremonies, and of all
 " the exterior pomp and splendour of wor-
 " ship. And hence too that inflexible in-
 " trepidity, with which they braved dan-
 " gers, torments, and even death itself;
 " while they preached the doctrine of peace,
 " and carried the sunbeams of truth, through
 " every part of Christendom.⁶¹"

A few pages after this, in the same
 edition, Mr. Hume gives an account of
 the nature of the Roman Catholic religion;
 and this he was induced to do; he informs
 us, because " History addresses itself to a
 " more distant posterity, than will ever be
 " reached by any local or temporary the-
 " ology;" and because " the characters of

" P. 7, 8. Besides the above passages, fifty lines
 more, immediately following, are omitted in the latter
 editions; but I have not thought it necessary to recite
 them here.

" feels

" facts may be found, when their control
 " would be TOTALY FORGOTTEN."
 He failed to suppose, that his history would
 survive, when the Romish religion was
 forgotten, or at least, when it should cease
 to be understood; and there is little reason
 to doubt, but that he entertained similar
 ideas respecting the Protestant religion.
 And, indeed, it was fortunate, that the
 memory of these two inconsiderable facts
 should be transmitted to posterity, through
 the channel of Mr. Hume's history. How-
 ever, in his account of Popery is the follow-
 ing passage: "It has been observed, that
 " upon the revival of letters, very gener-
 " ous and enlarged sentiments of religion
 " prevailed throughout all Italy; and that,
 " during the reign of Leo, the court of
 " Rome itself, in imitation of their illus-
 " trious prince, had not been wanting in
 " a just sense of freedom. But when the

" ENRAGED

" ENRAGED and FANATICAL REFORMERS
 " took arms against the papal hierarchy,
 " and threatened to rend from the church
 " at once all her riches and authority; no
 " wonder she was animated with equal
 " zeal and ardour, in defence of such an-
 " tient and invaluable possessions."

This passage, and others in our author's work, were animadverted upon, with much good sense and spirit, in a very judicious

" P. 26. As the above passages are omitted in the latter editions of Mr. Hume's history, I have not particularly animadverted on, or examined, the strong charge brought against the reformers, of being UNI- VERSALLY INFLAMED WITH THE HIGHEST EN- THUSIASM. But I thought that these passages, and the omission of them, were not unworthy the notice of the public. Though it should be observed by the reader, that all the other passages in Mr. Hume's work, on which I have made remarks, are cited as they stand in the later editions.

publi-

publication, printed at Edinburgh, in octavo, in 1756, under the title of "Letters on Mr. Hume's History of Great Britain;" and both the passages which have been just cited, appear to have been omitted in all the latter editions of this history. At least, they are wholly omitted in the editions which I have chiefly used; that is, the octavo editions of 1763 and 1773. And, unfortunately for future ages, the whole of that curious paragraph, containing an account of Popery, and which was addressed "to a more distant posterity than will ever be reached by any local or temporary theology," is entirely omitted. Though, if the uncastrated edition should happily be preserved in public libraries, posterity may yet be in some degree enlightened.

Mr. Hume speaks of it as one of the advantages, which the first reformers had over the Romish clergy, and which contributed towards the Reformation, that the latter " were totally unacquainted with controversy, much more with every species of true literature; they were unable to defend themselves against men, armed with authorities, citations, and popular topics, and qualified to triumph in every altercation or debate." But though we may readily admit, that a very large part of the Romish clergy were immersed in great ignorance, yet it is not to be supposed, but that there were many among them capable of defending the papal see, and the doctrines of the Romish church, with sufficient ability for that age, if the cause in which they were engaged had been

" Hist. vol. iv. p. 42, edit. 8vo. 1763.

capable.

capable of being defended. But Mr Hume was willing to attribute the success of the reformers to any cause, rather than to the force of truth, or rational investigation. He probably considered every species of religion, or, as he would rather term it, every species of superstition, as equally indefensible on the principles of reason.

Our historian also mentions "the invention of printing," and "the revival of learning," as among the causes of the progress of the Reformation. And it is true, that both those causes did considerably contribute to facilitate that great event. But notwithstanding what he has insinuated to the contrary, neither of these causes would have operated in any great degree in favour of the Reformation, if the Romish religion had not

Y a been

been of such a nature, that the extension of knowledge, and the increase of books, must tend to render its absurdity, and the injustice of its pretensions, more obvious and more generally known. As men became more enlightened, in consequence of the resurrection of letters, and of the facility with which books were multiplied by the important invention of the art of printing, it was highly natural, that a system of superstition should give way, which had derived its existence from the ignorance and credulity of mankind, and which was utterly incapable of standing the test of free inquiry and rational examination. But Mr. Hume gives it as his opinion, that reason did not bear any considerable part in opening men's eyes with regard to the impostures of the Romish church &c: and, in

another place he says, that the Reformation
 " owed not its success to reason and re-
 " flection." Indeed, our historian seems
 to have had but a very low idea of the
 efficacy of reason in religious controversy.
 For he says, that there is no instance
 " where argument has been able to free
 " the people from that enormous load of
 " absurdity, with which superstition has
 " **EVERY WHERE** overwhelmed them."

JOHN LAMBERT, who lived in the
 very age of which Mr. Hume was writing,
 and who was burnt for heresy in the
 reign of Henry the Eighth, appears to
 have had juster sentiments upon this
 subject. In his answer to the articles
 exhibited against him, speaking of the
 writings of Luther, he expresses himself
 thus: " He (Luther) coveteth above all
 " things, as all his adversaries do well

“ know, that all his writings, and the
 “ writings of all his adversaries, might
 “ be translated into all languages, to the
 “ intent that all people might see and
 “ know, what is said of every part,
 “ whereby men should THE BETTER JUDGE
 “ what the TRUTH is⁶⁷.” Lambert thought,
 and justly thought, that it was the truth
 and reason manifested in Luther’s writ-
 ings, which occasioned them to have so
 much effect upon the minds of men, and
 to become so formidable to the Romish
 church. Indeed, Lambert, considering
 the age in which he lived, appears to have
 been well acquainted with the reasonable-
 ness and importance of free inquiry in
 matters of religion.

MR. Hume speaks of the age of the Re-
 formation, as being generally “ seized with

⁶⁷ Fox’s *Acts and Monuments*, vol. ii. p. 398,
 edit. 1641.

“ a spirit

“ a spirit of innovation ” ; ” and “ the novelty of the doctrines ” of the Reformation, he mentions as one of the circumstances which facilitated that great event. But it is certainly not very common for large bodies of men, to shew a great readiness in embracing opinions, either in theology, or any other subject, merely because they are new. The fact seems rather to be, that men have always had a strong attachment to their antient opinions, and that it is with difficulty they are brought to reject them. Nor does it appear very philosophical to suppose, that in the age of the Reformation, men were influenced by sentiments and propensities so exceedingly different from those by which they are ordinarily actuated. But Mr. Hume was willing to admit any supposition, however improbable, rather than ac-

^a Hist. vol. iv. p. 141.

knowledge, that the Reformation owed its success to the force of truth and reason.

INDEED, Mr. Hume, notwithstanding the liberties which he has himself taken in his writings, appears to have been no friend to the established Protestant principle, that all men have a right to examine for themselves the foundation of those religious opinions which are proposed to them, or to which their teachers endeavour to procure their assent. At least he asserts, that the generality of mankind are utterly unqualified for inquiries of this kind. "Nothing," says he, "forwarded more the first progress of the reformers, than the offer, which they made, of submitting all religious doctrines to private judgment, and the summons given every one to examine the

" the principles formerly imposed on him.
 " Though the multitude were ~~TOTALLY~~
 " ~~UNQUALIFIED~~ for this undertaking, they
 " yet were highly pleased with it."

He seems to have thought, that the Protestants have treated the fopperies of the Romish church with too much ridicule, though his own enumeration of some of them is sufficiently ludicrous. And he endeavours to persuade his readers, that these absurd superstitions were not so disgraceful to Popery as may have been apprehended. Speaking of the dissolution of the monasteries, he says,
 " Protestant writers mention on this occasion, with great triumph, the sacred repositories of convents; the parings of St. Edmund's toes; some of the coals that roasted St. Laurence; the

" girdle of the virgin shewn in eleven
 " several places ; two or three heads of
 " St. Ursula ; the felt of St. Thomas of
 " Lancaster, an infallible cure for the
 " head-ach ; part of St. Thomas of Can-
 " terbury's shirt, much reverenced by
 " big-bellied women ; some reliques, an
 " excellent preventative against rain ;
 " others, a remedy to weeds in corn.
 " But," the historian adds, " such fooleries
 " as they are to be found in all ages and
 " nations of the world, and even took
 " place during the most refined periods
 " of antiquity, form no PECULIAR nor
 " VIOLENT reproach on the Catholic re-
 " ligion ⁷⁰."

Our historian's hypothesis, respecting
 ecclesiastical establishments, is somewhat

curious. He admits, that if the support of ecclesiastics were left to "the liberality of individuals, who are attached to their doctrines, and who find benefit or consolation from their spiritual ministry and assistance; their industry and vigilance" would "be whetted by such an additional motive; and their skill in the profession, as well as their address in governing the minds of the people, must receive daily increase from their increasing practice, study, and attention." But this diligence of the clergy, which he styles INTERESTED, Mr. Hume thought "every wise legislator would study to prevent." He considered the clergy as of so much utility to society, that the more indolent they were the better. "In reality," says he, "the most DECENT and ADVANTAGEOUS com-

" P. 33.

" position

“ position which he can make with the
 “ spiritual guides, is to ~~BRIBE THEIR IN-~~
 “ DOLENCE, by affixing stated salaries to
 “ their profession, and rendering it SUPER-
 “ FLUOUS for them to be FARTHER
 “ ACTIVE, than merely to preserve their
 “ flock from straying in quest of NEW
 “ PASTURES ”.” These observations are
 introductory to his account of the Refor-
 mation, but they are of so general a na-
 ture, that they are equally applicable to the
 clergy of any other church, as to that of
 the church of Rome.

Mr. Hume seems generally unwilling
 to suppose, that any persons could suffer
 martyrdom from good motives; and,
 therefore, his accounts of persons under
 such circumstances, are often extremely
 destitute of candour and of equity. Thus

In his narrative of the case of Lambert; who was burnt in the reign of Henry the Eighth, with circumstances of great barbarity, for denying the doctrine of the real presence in the sacrament, Mr. Hume says, that "Lambert possessed that courage which consists in obstinacy;" though he had no other reason for this assertion, than that Lambert would not publickly abjure his opinions, to save his life. And he also suggests, that the fortitude, with which he underwent his public examination and sufferings, was the result of **VANITY**; a suggestion as void of probability as of equity. He who can suppose, that vanity will support a man at the stake, must possess no ordinary portion of credulity. But Mr. Hume was willing to attribute the heroic firmness of Lambert to motives of any kind, however improbable, rather than to such as would

have

have done honour to his integrity, and to the religion he professed. Our historian seems to have been fond of propagating the notion, that persons suffering martyrdom for their opinions, might be more influenced by vain glory, than by motives of strict integrity, and a regard to the sacredness of truth. Thus speaking of Anne Askew, and three other persons who were burnt with her for heresy, in 1546, he says, " They were all tied to the stake ; and in that dreadful situation, the chancellor sent to inform them, that their pardon was ready drawn and signed, and should instantly be given them, if they would merit it by a recantation. They only regarded this offer as a NEW ORNAMENT to the crown of martyrdom ; and they saw with tranquility the executioner kindle the flames which consumed them.

" Wriothesley

“ Wrothefely did not consider, that this
 “ ~~ROBINE~~ and NOTED SITUATION inter-
 “ eded their honour the more to maintain
 “ a steady perseverance.”

John LAMBERT, who has been just mentioned, was a clergyman, and seems to have been a man of considerable learning and abilities, and was entitled, from any candid and equitable historian, to a much more honourable representation than is given of him by Mr. Hume. His real name was John Nicolson, but he told King Henry, that he had been compelled to change his name by the bishops.^{24,25} He taught the Latin and Greek languages in London. He appears to have been a truly conscientious man;

²⁴ P. 279.

²⁵ Vid. Fox's Acts and Monuments, vol. II. p. 425. edit. 1641.

and

and the insinuations thrown out against him by Mr. Hume, of his being influenced by vanity, are wholly without foundation; and arose only from our historian's unwillingness to admit, that any man could suffer death for his religious opinions, and be wholly actuated by motives truly virtuous and commendable. But however lax may be the sentiments of some modern sceptics, respecting the sacred nature and importance of truth, I have no doubt, but that there have been many virtuous heathens, who would have suffered death, rather than have made an open and solemn profession of their belief in opinions, of the falsehood of which they were well persuaded.

Mr. Hume seems to have thought, that the situation of affairs may be such, as to justify persecution for religious opinions.

nions. Thus, speaking of the persecutions in Scotland, in the reign of James the Fifth, and of those in Germany, and France, under Charles the Fifth, and Francis the First, he says, ‘ The extremities, to which all these princes were carried, proceeded entirely from the situation of affairs during that age, which rendered it impossible for them to act with greater temper or moderation, after they had embraced the resolution of supporting the antient establishments. So violent was “ the propensity of the times towards innovation,” that a toleration of the new preachers was equivalent to a formed design of changing the national religion.’

THE attempts made to enslave the French nation, and, in particular, to

“ Hist. vol. iv. p. 250, edit. 1763.

reduce the Protestants to submit to the will of their monarch, Mr. Hume seems to mention with much approbation. Speaking of the attempts of Richelieu for this purpose, and more immediately of the reduction of Rochelle, he says, ' This was the first NECESSARY STEP towards the PROSPERITY of France. Foreign enemies, as well as domestic factions, being deprived of this resource, that kingdom began now to shine forth in its full splendour. By a steady prosecution of wise plans, both of war and policy, it gradually gained an ascendant over the rival power of Spain; and every order of the state, and every sect, were reduced to pay submission to the lawful authority of the sovereign ' ⁶.'

⁶ Hist. vol. vi. p. 203.

MR. HUME appears to have considered the reign of James I. as the era of English national felicity, at least with respect to persons of fortune. ‘ Could human nature,’ says he, ‘ ever reach happiness, the condition of the English gentry, under so mild and benign a prince, might merit that appellation?’ And now, for the first time; such it seems were the public advantages of the accession of the house of Stuart, the people became acquainted, that, as Englishmen, they possessed some privileges. ‘ In all European monarchies,’ says our historian, ‘ the people have privileges, but whether dependant or independant on the will of the monarch, is a question, that, in most governments, IT IS BEST TO FORBEAR. Surely that question was not

[“] Hist. Vol. vi. p. 112.

* determined (in England) before the age of James I.²⁸ So that, if we were to give credit to Mr. Hume, we must suppose, that the people of England did not know, before the reign of James the First, that they held any of their privileges by any other tenure, than the pleasure of the prince. But this is a groundless and indefensible notion. And as to enjoying privileges **DEPENDANT ON THE WILL OF THE MONARCH**, this may be done in the most despotic country upon earth. The inhabitants of Russia, of Turkey, of Morocco, may certainly enjoy privileges at the will and pleasure of their princes.

IN order to extenuate the conduct of King James I. in the case of Sir Walter

²⁸ In the edition of 1773, the above passage is in the 570th page of the sixth volume.

Raleigh,

Raleigh, Mr. Hume seems to have been much inclined to blacken the character of that celebrated person²⁰. And his principal authority for much of what he says upon this subject, is king James's " Declaration of the demeanour and carriage of Sir Walter Raleigh, knight, as well in his voyage, as in and sithence his return; and of the true motives and inducements which occasioned his majesty to proceed in doing justice upon him, as hath been done." But notwithstanding what our historian has urged to make this royal publication²¹ appear of "undoubted credit," it is

²⁰ Vid. Hist. vol. vi. p. 31, 34, 35, 36, 37. edit. 1763.

²¹ In the preamble to this Declaration it is said, "Although Kings be not bound to give account of their actions to any but God alone; yet such are his majesty's proceedings, as he hath always

is certain, that an artful defence, published by the court, of an odious and unpopular measure, is not very implicitly

“ been willing to bring them before sun and moon,
 “ and carefully to satisfy all his good people with
 “ his intentions and courses, giving as well to fu-
 “ ture times, as to the present, true and undis-
 “ guised declarations of them.” Harleian Miscel-
 lany, vol. iii. p. 18. It appears, that Sir Walter
 Raleigh was apprehensive, that somewhat would be
 published after his death to traduce his memory:
 for when he was upon the scaffold, he particularly
 requested lord Arundel, “ to desire the king, that no
 “ *scandalous writing* to defame him, might be pub-
 “ lished at his death.”

Mr. Hume speaks of the king’s Declaration rather ambiguously, and in a manner that might lead his readers to suppose, that this was subscribed by six privy-councillors: but the fact is, it was not subscribed by any privy-councillor. But reference is made in the Declaration to examinations taken in the presence of six privy-councillors, which examinations were subscribed by them, and made

citly to be relied on. Indeed, king James himself has, in some degree, borne testimony to the merit of Sir Walter Raleigh, though to his own dishonour. For soon after Sir Walter's execution, the king beginning to see that he should probably be deluded by the Spanish ministry, made one of his ministers write to his agent in Spain, to let that court know, that they would be looked upon as the most unworthy people in the world, if they did not now act with sincerity, since his majesty had given so many testimonies of his; and now of late, " by causing " Sir Walter Raleigh to be put to death, " chiefly for the giving them satisfaction. " Farther, to let them see how, in many

made use of in drawing up the Declaration. But the Declaration itself was not subscribed by any of them. Vid. the edition of this, in 4to, printed by Norton and Bill, in 1618.

actions of late, his majesty had strained
 upon the affections of his people, and
 especially in this last concerning Sir
 Walter Raleigh, who died with a great
 deal of courage and constancy. Lastly,
 that he should let them know how able
 a man Sir Walter Raleigh was, to have
 done his majesty service. Yet, to give
 them consent, he hath not spared him,
 when, by preserving him, he might have
 given great satisfaction to his subjects, and
 had at command, upon all occasions, as
 useful a man as served any prince in
 Christendom.

In his account of the reign of Charles
 the First, Mr. Hume is desirous of lead-
 ing his readers to consider the parsimony

Life of Sir Walter Raleigh by Mr. Oldys, pre-
 fixed to his History of the World, edit. 1736. p. 222,
 and British Biography, 8vo. vol. iv. p. 71.

of

of the house of commons, at the commencement of this reign, as the source of the subsequent troubles. But this statement, which he has laboured so much to establish, appears to be very ill grounded**.

There

** It is observable, that lord Clarendon, though a known partisan of the court, seems to have had different ideas upon this subject, and to have been less partial in his representations in this respect than Mr. Hume. Speaking of the three first parliaments of Charles, he says, ' It is not to be denied, that there were, in all those parliaments, especially in that of the fourth year, several passages, and dis-tempered speeches of particular persons, not fit for the dignity and honour of those places, and unsuitable to the reverence due to his majesty and his councils. But I do not know any formed act of either house, (for neither the remonstrance nor votes of the last day were such) that was not agreeable to the wisdom and justice of great courts, upon those extraordinary occasions. And whatever considers the acts of power and injustice

of

There is very little reason to believe, that Charles would have restrained his power within the proper limits, whatever liberality

of some of the ministers, in those intervals of parliament, will not be much scandalized at the warmth and vivacity of those meetings.

In the second parliament there was a motion and intention declared of granting five subsidies, a proportion (how contemptible soever in respect of the pressures now every day imposed) scarce ever before heard of in parliament. And that meeting being, upon very unpopular and unpleasing reasons, immediately dissolved, those five subsidies were exacted; throughout the whole kingdom, with the same rigour, as if, in truth, an act had passed to that purpose. Divers gentlemen, of prime quality, in several counties in England, were, for refusing to pay the same, committed to prison, with great rigour, and extraordinary circumstances. And could it be imagined, that those men would meet again in a free convention of parliament, without a sharp and severe expostulation, and inquisition

rality the commons might have displayed in granting him supplies. A desire of extending the prerogative ever appeared to be predominant in him. And it was surely rational in the house of commons, not to be too lavish in their grants of the public money, without endeavouring to obtain some redress of the national grievances. When they found, that the duke of Buckingham continued to be the royal favourite in this reign, as he had been in the preceding, they had abundant reason

• quisition into their own right, and the power that
 • had imposed upon that right? And yet all these
 • provocations, and many other, almost of as large
 • an extent, produced no other resentment than the
 • petition of right (of no prejudice to the crown)
 • which was likewise purchased at the price of five
 • subsidies more, and, in a very short time after that
 • supply granted, the parliament was likewise, with
 • strange circumstances of passion on all sides, dis-
 • solved.' Hist. of the Rebellion, vol. i. p. 5 edit.
 8vo. 1705.

to

to conclude, that the public grievances would be continued, and probably increased, if proper measures were not adopted for their prevention. It was certainly a just ground for caution and jealousy in the house of commons, when they saw the most important offices of the nation, and the management of its affairs, still continue to be entrusted to a weak, incapable, and headstrong minister, to an arrogant and all-grasping favourite.²² It

²² The following were the titles and offices of the duke of Buckingham: * George, duke, marquis, and earl of Buckingham, earl of Coventry, viscount Villiers, baron of Whaddon, great admiral of the kingdoms of England and Ireland, and of the principality of Wales, and of the dominions and Islands of the same, of the town of Calais, and of the marches of the same, and of Normandy, Gascoigne, and Guienne, general governor of the seas and ships of the said kingdom,

it absurd to maintain, that because the parliament would not grant to Charles those supplies which he had, or supposed he had, occasion for, that therefore he was in any degree justified in the various arbitrary, unjust, and oppressive acts, of which he was afterwards guilty. Withholding supplies till justice was done to the

‘dorm, lieutenant-general admiral, captain general
‘and governor of his majesty’s royal fleet and army
‘lately set forth, master of the horse of our sove-
‘reign lord the king, lord warden, chancellor
‘and admiral of the Cinque Ports, and of the mem-
‘bers thereof, constable of Dover-castle, justice in
‘tyre of the forests and chancery this side the riuer
‘Trent, constable of the castle of Windsor, gen-
‘tleman of his majesty’s bedchamber, one of his
‘majesty’s most honourable privy council in his
‘realms both of England, Scotland, and Ireland,
‘and knight of the most honourable order of the
‘garter.’ Rushworth’s Historical Collections, vol. i.

p. 303.

subject,

subject, was the true constitutional check upon the crown: and it is doing extreme injustice to the great parliamentary leaders at the commencement of Charles's reign, to attribute the subsequent misfortunes of the nation to their conduct on this occasion.

Of the Petition of Right, Mr. Hume says, that " it may be affirmed, without any exaggeration, that the king's assent to it produced such a change in the government, as was almost equivalent to a revolution ".⁴ But this must surely appear a very extraordinary assertion, when it is considered, that the privileges and liberties claimed by this petition were unquestionably founded on the antient laws of the kingdom. And

⁴ Hist. vol. vi. p. 259, edit. 1773.

it is a most absurd idea to suppose, that because the people had occasionally submitted to unjust stretches of the prerogative, that therefore they were under any obligation to acquiesce in the attempts made to establish a complete despotism. It should also be observed, that lord Clarendon, notwithstanding his known partiality to Charles, acknowledges that the petition of right was " of no prejudice to " the crown." Though a great lawyer, who lived in the same age, a servant of Charles, and personally attached to him, he acknowledged, that the Petition of Right was of no injury to the crown : the very same act that Mr. Hume asserts to have " produced such a change in the " government, as was almost equivalent " to a revolution." Either, therefore, lord Clarendon had no ideas of the nature of the English government in his

his quæstion, or these notions of Mr. Hume are the mere reveries of a spiritive imagination.

Our historian frequently takes pleasure in representing, in a ridiculous or unfavourable light, the most respectable of the parliamentary leaders. Thus he mentions the celebrated JOHN HAMPDEN as one of those, " who had resolved for ever to abandon their native country, and fly to the other extremity of the globe, where they might " enjoy lectures and discourses of any length or form which pleased them." Upon this it is sufficient to remark, that though Hampden had probably much more re-

" Vol. vi. p. 311. In another place he says, that the whole discourse and language of Pym, Hampden, and Vane, were " full of the lowest and most vulgar hypocrisy." P. 325. edit. 1763.

ligion,

ligion, yet he appears to have been as little of an enthusiast as David Hume himself".

OUR

In the last edition of his history, that of 1778, which was not published till a considerable part of the first edition of these observations was printed off, Mr. Hume has added the following remark, relative to his notion of Mr. Hampden's being tinctured with enthusiasm. He says, that Hampden's "intended migration to America, where he could only propose the advantage of enjoying puritanical prayers and sermons, will be allowed a proof of the prevalence of this spirit (the enthusiastical) in him." Vol. vi. p. 587. But surely, when measures were carrying on in this country to establish despotism both in church and state, there can be no just reason for considering Hampden as an enthusiast, merely because he had formed a design to go to America, in hopes of enjoying there the blessings of civil and religious liberty. Or if this must be considered as enthusiasm, it is of that kind which has animated some of the noblest of the human race, both in antient and in modern times. However contemptuously an ardent love of liberty may be treated by a Hume, it was this

Our author, speaking of the year 1640, says, that "NOISE AND FURY, CANT AND HYPOCRISY, formed the SOLE RHETORIC, which, during this tumult of various prejudices and passions, could be attended to." That many of the performances of this period were violent and enthusiastical, may be readily admitted; but that NOISE, FURY, CANT, and HYPOCRISY, constituted the SOLE RHETORIC which the people attended to at that time, is known not to be a truth, by every man who is accurately acquainted with the publications and speeches of this period. The terms, in which Mr. Hume has expressed himself on this occasion, are the language of a mere party writer, and not that of an impartial historian.

which greatly contributed to ennable much superior characters, not only a HAMPDEN, but a LOCKE and a SYDNEY, a SELDEN and a MILTON.

He has also said of the house of Commons, in 1642, "that they were resolved, " if possible, to excite the king to some violent passion; in hopes that he would commit indiscretions, of which they might make advantage." But this appears to be a very unwarrantable method of writing history. It is imputing the most unworthy motives to the great parliamentary leaders, without producing the least evidence in support of what is advanced.

EXTREME partiality is also manifested by Mr. Hume, in his representation of the character, conduct, and trial, of the earl of Strafford. He says, "Such was the capacity, genius, presence of mind, displayed by this magnanimous statesman, that, while, argument and reason and

* Vol. vi. p. 401. edit. 1763.

“ law had any place, he obtained an un-
“ disputed victory. And he perished, at
“ last, overwhelmed, and still unsubdued,
“ by the OPEN VIOLENCE of his FIERCE
“ and UNRELENTING antagonists.”

Our historian had before observed, that Strafford was “ sensible of the load of po-
“ pular prejudices under which he la-
“ boured ”. That the people of England,
Scotland, and Ireland, were extremely in-
censed against this nobleman, is very true;
but there is no occasion to impute this to
PREJUDICE of any kind. It was the natu-
ral result of his conduct, which had been
arbitrary, oppressive, and unconstitutional,
and calculated to excite universal indig-
nation.

But Mr. Hume says, that “ though
“ four months were employed by the

“ Ibid. p. 335. “ P. 304.

mana-

" managers in framing the accusation, and
 " all Strafford's answers were extempo-
 " rary; it appears from comparison, not
 " only that he was free from the crime of
 " treason, of which there is not the least
 " appearance, but that his conduct, making
 " allowance for human infirmities, exposed
 " to such severe scrutiny, was INNOCENT,
 " and even LAUDABLE !."

WHETHER the conduct of Strafford was
 either INNOCENT or LAUDABLE, may be
 best determined by a view of some of the
 facts that were proved against him upon
 his trial: and which may, perhaps, be
 sufficient to convince every unprejudiced
 reader, that his fate is not greatly to be
 deplored; unless by those who are of op-
 nion, that men who act under the auth-
 ority of kings, and, by their command, may

be justified in the commission of the most atrocious crimes.

It was proved against him, that he had acted in a very arbitrary and illegal manner, as lord president of the court and council of the North²². As lord lieutenant of Ireland,

²² Vid. the account of lord Strafford's trial in Rushworth's Historical Collections, vol. iv. p. 140, 141, 142, 144.

The court and council of the North, (or, as it was often called, the court and council of York) was first erected, after some insurrections, by a patent from king Henry VIII. without any authority from parliament. Its power had been extended by degrees, but was never so great as it was after Wentworth was made president, king Charles having thought proper to invest him and the council with extraordinary discretionary powers. It was afterwards complained of by the people in the North, as an intolerable grievance; and Mr. Hyde, afterwards earl of Clarendon, was appointed, by the house of commons, in 1641, to repre-

Ireland, he had also acted in a still more despotic manner, and treated persons of the best quality in Ireland with the utmost arrogance,

represent to the house of peers the pernicious consequences of this court. In his speech on this occasion, which is still extant, Mr. Hyde styles this court "a great and crying grievance; which, though (says he) it be complained of in the present pressures but by the northern parts, yet, by the logic and consequences of it, it is the grievance of the whole kingdom." He also says, that it had "almost overwhelmed that country, under the sea of arbitrary power, and involved the people in a labyrinth of distemper, oppression, and poverty." He likewise observes, that after Wentworth was made president, new clauses were added to the commission, which "crowded in a mass of new, exorbitant, and intolerable power." He proceeds, "What hath the good northern people done, that they only must be disfranchised of all their privileges by Magna Charta, and the Petition of Right; for to what purpose serve these statutes, if they may be fined and imprisoned without law, according to the discretion

rogance, insolence, and injustice. The earl of Corke depos'd, that when he had commenced a suit at law, in a case in which

he

“ of the commissioners? What have they done, that
 “ they, and they alone, of all the people of this happy
 “ island, must be disinherited of their birth-right, of
 “ their inheritance ? ” — “ Truly, my lords, these vexed
 “ worn-out people of the North are not suitors to
 “ your lordships to regulate this court, or to reform
 “ the judges of it, but for extirpating these judges,
 “ and the utter abolishing this court.” [Vid. this
 speech of Hyde at length, in Speeches and passages of
 the parliament of 1641, edit. 4to. 1641, p. 409, 416.]
 Mr. Guthrie observes, (Hist. Eng. vol. iii. p. 916.)
 that had Strafford “ been guilty of no other demerit,
 “ he deserved to lose his head, for accepting what no
 “ king of England can give, and no free-born subject
 “ ought to execute; I mean a commission, that, in
 “ effect, set aside the laws of the land, and left no
 “ other visible tenure of justice, than the wills of men,
 “ always fallible, and often corrupted, influenced by
 “ sentiments of gratitude, fear, or expectancy to-
 “ wards the crown; resentments of hatred, envy,
 “ and

he apprehended himself to be aggrieved, the earl of Strafford, in the most arbitrary manner, forbade his prosecuting his suit, saying to him, "Call in your writs, or if you will not, I will clap you in the castle; for I tell you, I will not have my orders disputed by law, nor lawyers ^{93.}" Lord Corke also farther deposed, that he being

" and malevolence against the subject." Vid. British Biography, vol. iv. p. 388, 389.

⁹³ Trial of Strafford, as published in Rushworth, p. 175. It should be observed, that the account of this memorable trial printed in Rushworth, is much more copious and accurate than that in the State Trials; in which the speeches of Pym, Maynard, Glyn, &c. are wretchedly mutilated; and many other important particulars wholly omitted. It is, indeed, much to be regretted, that no better account of so important a trial, as that of the Earl of Strafford, should have been published in any edition, not even the last, of the State Trials. Those who have only read this account of the trial of this great state-criminal,

can

being prosecuted in the Star-chamber, for having made a lease of a parsonage, contrary to an act of state made in king James's reign ; and thereupon representing to lord Strafford, that it was merely an act of charity, and that he was not apprized of any such act of state, and intimating, that he thought he could not legally be prosecuted for violating an obsolete act of state, lord Strafford answered, “ I tell you, my lord, “ as great as you are, I will make you, “ and all the subjects of Ireland know, “ that any act of state made, or to be made, “ shall be as binding to you, and the subjects of Ireland, during my government, “ as an act of parliament ”.

SIR Pierce Crosby depos'd, that soon after Strafford came to Ireland, being at can form no tolerable idea of it, nor of the evidence and pleadings against him.

“ Rushworth, p. 176.

dinner

dinner in the deponent's house, with several others of the privy-council, he took occasion to say, that "if he, the earl of Strafford, lived, he would make an act of state to be of equal power with an act of parliament;" and added, that Ireland was a conquered nation, and "the conqueror should give the law."

JOHN WALDRON deposed, that in a cause between the merchants of Galloway and others, concerning a church lease, at the council-table, Mr. Martin, who acted as council for the merchants, mentioning an act of parliament, which, he said, made for his client, Strafford said, "He would make him know, that an act of that board should be as good as a statute:" or to that purpose. Lord Killmallock, and John Kay, also deposed to the same effect.

Mr.

Mr. Lotts depos'd, that the commons having rejected some bills, particularly one which made it felony for a private person to have gunpowder, without a licence; and being sent for up to the house of lords, Strafford told them, that " notwithstanding they had voted against it, yet he would make that, and some other bills they had voted against acts of state, that should be as good".

It was also proved, that, by Strafford's influence, lord Mountmorris was sentenced to be shot to death, for making use of an expression that the lord lieutenant disliked, and which, it was pretended, had a mutinous meaning; and, in his defence, Strafford spoke of this infamous sentence as " being only intended to discipline lord Mountmorris, and to teach him to go-

" Rushworth, p. 184.

" vern

"verin his speech with more modesty?"⁶"
It appears also, that lord Mountmorris was, for a considerable time, imprisoned, and deprived of an estate, though on other pretences.

ROBERT KENNEDY deposed, that on the 30th of September, 1633, he was the king's remembrancer in Ireland, and that day the new mayor of Dublin was presented to lord Strafford; and the recorder made a speech on the occasion, reciting the many graces they had received from the kings of England; and, among the rest, a charter that no soldier should be billeted on the city of Dublin. That the lord lieutenant answered several passages in the speech; and particularly said, "That they were a conquered nation, and the king might do with them as he pleased: and for

" Rushworth, p. 200.

" their

" their antiquated charters, they were
" binding no farther than he pleased." The earl of Corke also gave evidence to the same purpose.

ARCHBISHOP Usher being ill, his examination was read, in which that prelate declared, that discoursing with the earl of Strafford in Ireland, concerning some levies of money made upon the subject, Strafford said, that " he agreed with those in England, who thought that, in case of imminent necessity, the king might make use of his prerogative to levy what he needed." But added, that, " in his opinion, his majesty was first to try his parliament, and if they supplied him not, then he might make use of his prerogative as he pleased himself;" or words to that effect.

THE

THE earl of Bristol deposed, that discoursing with lord Strafford of the distractions of the times, after the breaking up of the last parliament, and the deponent proposing the summoning a new parliament as the best means to compose matters : lord Strafford did not dislike the proposal, but said, it was not advisable at that time ; for that the present dangers of the kingdom were so pressing, they could not " admit of so slow and UNCERTAIN a remedy as a parliament was." That the parliament had, in the great distress of the king and kingdom, refused to supply the king in the ordinary and usual way of subsidies : " and, therefore, the king must provide for the safety of his kingdom, by such ways as he should think fit in his wisdom." And farther, " That the king was not to suffer himself to be mastered by the " fro-

“frowardness and undutifulness of his
“people.”

THOMAS WISEMAN depos'd, that the lord-mayor and aldermen of London being called before the council for not levying the ship-money, Strafford said, “They would never do their duties well, till they were put to fine and ransom;” and that he also said, “You will have no good of this man, (meaning the lord-mayor, as he supposed,) till he is laid by the heels.”

SIR Henry Garraway, the lord-mayor, depos'd, that having been obliged to attend the privy-council on account of the affair of ship-money, and having set forth the difficulties of levying ship-money before his majesty and council, it was ill taken; and lord Strafford said to the king, “Sir,
“ you

" you will never do good on this man till
 " you have made him an example ; he is
 " too diffident : unless you commit him,
 " you shall do no good upon him." That
 being also summoned with the aldermen be-
 fore his majesty and the council, about a
 loan, and being desired to give in lists of
 those that were able to lend in their several
 wards, they refused ; whereupon Strafford
 burst out into these words : " Sir, you
 " will never do good to these citizens of
 " London, till you have made examples of
 " some of the aldermen : unless you hang
 " up some of them, you will do no good
 " upon them." "

STRAFFORD was also accused by the
 commons with having cited jurymen to
 appear in the Irish Star-chamber, where
 pains and penalties were inflicted on them

²⁷ Vid. Rushworth, p. 584, 585.

for their verdicts. He admitted the charge, and contented himself with vindicating or extenuating what he had done²⁸. It was likewise proved, in the course of the evidence against him, that in Ireland he had imprisoned and fined men by the authority of himself and the council only; that he had levied taxes on goods without any parliamentary authority; that he had arbitrarily caused the goods of persons to be seized, who had refused to obey his commands, though those commands were unwarrantable, and altogether unsupported by any law; and that he caused soldiers to be quartered on private persons, if they did not obey his orders.

UPON the whole, it is unquestionably certain, that the conduct of Strafford was so far from being either INNOCENT or

²⁸ Rushworth, p. 125.

LAUDABLE, that it was in a very high degree criminal, and that he was a just object of national indignation, and of public prosecution. As lord president of the North, as lord lieutenant of Ireland, and as a privy-counsellor in England, he had laboured to trample on the rights of the people, and had been guilty of acts of great injustice and oppression. That he defended himself with great eloquence and address, and that he applied, with great art, to the passions of his auditors, is very true; but all this proves nothing as to his general innocence of the charges that were brought against him: and there is surely little reason for the assertion of Mr. Hume, that "though his death was loudly demanded as a satisfaction to justice, and an atonement for the many violations of the constitution; it may safely be affirmed, that the sentence, by which he fell, was an

“ enormity greater than the worst of those
 “ which his implacable enemies prosecuted
 “ with so much cruel industry ”.”

WHETHER all the proceedings against Strafford, and his final sentence, were in every respect strictly legal, I shall not take upon me to determine. The law, perhaps, may not have made the same provision for bringing iniquitous ministers of state to justice, that it has for inferior criminals. But however this be, it is certain, that Strafford did not fall undeservedly; and that there is very little reason for those pathetic lamentations that are thrown out upon this subject by Mr. Hume. If Strafford had not been guilty of treason against the person of Charles, he had been guilty of treason against the rights of the people: and if this be a species of treason not yet to

be found in our statute-books, it is high time that it should find a place there. Of all public crimes, attempts to subvert the rights of the people, and to overturn a free constitution, are the greatest, and ought to be the most severely punished. The idea that the personal security of the king is of more consequence, than the preservation of the rights and privileges of a whole nation, can arise only from the most contemptible servility.

Mr. Hume says, that "even a few weeks after Strafford's execution, this very parliament remitted to his children the more severe consequences of his sentence; as if conscious of the violence with which the prosecution had been conducted."¹⁰⁰ But no such consciousness can justly be considered as implied in this conduct of the

parliament. Nothing more can fairly be inferred from it, than that they had too much magnanimity and generosity, to desire that the children of Strafford should suffer for the crimes of their father.

Of the political maxims which Strafford recommended to Charles, and the advice which he gave him, some idea may be formed from such of his dispatches as have been published. In one of these, addressed to the king, concerning the calling a parliament in the kingdom of Ireland, after mentioning the obligations which an Irish parliament would be under to grant the king supplies, he says, " Should they not " conform themselves to your gracious " will, their unthankfulness to God, and " the best of kings, becomes inexcusable " before all the world, and the regal power " more warrantably to be at after extended " for

“ for redeeming and recovering your ma-
 “ jesty’s revenues thus lost, and justly to
 “ punish so great a forfeit as this must
 “ needs be judged to be in them ”.” In
 the same dispatch are also the following pa-
 ges : “ Conditions are not to be admitted
 “ with any subjects, less with this people;
 “ where your majesty’s absolute sovereignty
 “ goes much higher than it is taken, PER-
 “ HAPS, to do in England ”.”

It appears also from the same dispatch, that Strafford was sufficiently skilled, for that age, in the modelling and managing of parliaments. “ I shall endeavour,” says he, “ the lower house may be so com-
 “ posed, as that neither the recusants, nor
 “ yet the Protestants, shall appear confi-

¹⁰¹ Earl of Strafford’s letters and dispatches, published by Dr. Knowler, folio, 1739, vol. i. p. 183.

¹⁰² Ibid. p. 184.

" derably more one than the other, hold-
 " ing them, as much as may be, upon an
 " equal balance; for they will prove thus
 " easier to govern, than if either party
 " were absolute."—"I will labour to make
 " as many captains and officers burgesses,
 " as possibly I can, who, having immedi-
 " ate dependance upon the crown, may
 " almost sway the busines^s betwixt the two
 " parties, which way they please."—"In
 " the higher house, your majesty will
 " have, I trust, THE BISHOPS WHOLLY
 " FOR YOU¹⁰³."

IN another of his letters, he recom-
 mends it to the king, to be ready to give
 seasonable REWARDS to the JUDGES for oc-
 casional services; and afterwards adds, "I
 " am most confident, were your majesty
 " purposed but for a while to use the ex-

¹⁰³ Ibid. p. 187.

“ ccellent wisdom God hath given you in
 “ the constant, right, and quick applying
 “ of REWARDS and PUNISHMENTS, it were
 “ a thing most easy for your servants, in
 “ a very few years, under your conduct
 “ and protection, so to settle all your af-
 “ fairs and dominions, as should render
 “ you, not only at HOME, but abroad also,
 “ the most POWERFUL and considerable
 “ king in Christendom ”¹⁰⁴.

It appears, from several of his letters, that he was very solicitous to promote the imposition of SHIP-MONEY both in England and Ireland; and in one of his dispatches he says, “ It is plain, indeed, that the opinion delivered by the judges, declar-
 “ ing the LAWFULNESS of the assignment
 “ for the shipping, is the GREATEST SER-

¹⁰⁴ Strafford's letters and dispatches, vol. ii. p. 41.

“ VICE

" vice "^{es} that profession hath done the
 " CROWN in my time. But unless his
 " majesty hath the LIKE POWER declared
 " to raise a LAND ARMY upon the same
 " exigent of state, the crown seems to me
 " to stand but upon one leg AT HOME, to
 " be considerable but by halves to foreign
 " princes abroad."^{es} And Strafford was
 certainly in the right, that it would have
 been an improvement of Charles's regal
 power, if the judges, by proper douceurs
 and encouragements, could have been pre-
 vailed upon to invest him with an authority
 to raise money for both fleets and armies,
 without the concurrence of parliament.

^{es} This was probably one of that kind of services
 for which Strafford thought it would be proper to
 REWARD the JUDGES: and it is certainly not reason-
 able to expect, that men should violate their con-
 sciences for nothing.

^{es} Ibid. p. 61.

IN the same dispatch, he speaks of " vindicating the royalty at home from under the conditions and restraints of subjects;" and observes, that an army raised by the king's prerogative, would " insensibly gain a precedent, and settle an authority and right in the crown to levies of that nature, which thread draws after it many huge and great advantages, more proper to be thought on at some other seasons than now." He adds, " By this time his majesty will find, how little I look upon my own SAFETY, where his greatness and prosperity come in place ^{so7}."

IN one of his letters to Charles, Strafford speaks of himself as being " reported to all the world rather for a Basha of Buda, than the minister of a pious and

^{so7} Ibid. p. 62.

“ Christian king ”¹⁰³. In another he says,
 “ Sir, my faith enforceth me, with all
 “ humility, to inform your majesty, that
 “ the liberty of such as mutiny the hie-
 “ rarchy, and would, I fear, in the next
 “ place, do as much for monarchy itself,
 “ increaseth very much: (a gradation
 “ which that wise and excellent king,
 “ your blessed father, had found, by ex-
 “ perience, in the beginnings of his reign
 “ in Scotland) and worthy it will be of
 “ your majesty’s wisdom and providence,
 “ that we have your direction how to
 “ carry ourselves. With longing we wait
 “ for it: and were it left to us, should
 “ not fail to give all such in this kingdom
 “ current and found payment ”¹⁰⁴. And
 in another of his dispatches he says, “ I
 “ understand that party (the Scotch) is
 “ much blown up with their expecta-

¹⁰³ Vol. ii. p. 27.

¹⁰⁴ Ibid. p. 229.

“ tions

" tions of help from their countrymen on
 " this side, and sure such an assimilation
 " of humours there is amongst them, as
 " the conjecture is probable enough; yet,
 " Sir, be you pleased to restore us but
 " these five hundred men you borrow
 " from this army, and I durst, with the
 " peril of my life, be answerable to con-
 " tain all here in quietness: but then I
 " must have present and FULL AUTHORITY
 " to take every little inclination in the first
 " appearance of it, AND TO CRUSH THE
 " SERPENT IN THE EGG¹¹⁰."

It is evident, from the letters of Straf-
 ford, as well as from what was proved
 against him at his trial, that he was a most
 dangerous and arbitrary minister; that he
 violated himself every principle of law and
 of a free constitution; that he gave the

¹¹⁰ Ibid. p. 235.

most pernicious advice to the king ; and that he well deserved the fate he met with.

Of archbishop Laud, Mr. Hume says, that “ the maxims of his administration “ were the same which had EVER PRE-“ VAILED in England ”.” Without particularly animadverting upon this, it may be sufficient to remark, that our historian’s apology for this prelate, has in it much more of art and sophistry, than of sound argument and solidity. But even the unjust and barbarous sentences passed in the court of Star-chamber, though Mr. Hume does not formally defend them, yet he speaks of them in very gentle terms. “ The “ severity of the Star-chamber,” he says, “ which was generally ascribed to Laud’s “ passionate disposition, was, PERHAPS, in “ itself SOMEWHAT BLAMEABLE.”

⁴¹ Vol. vii. p. 41.

FROM

FROM the letters of Laud to Strafford, it appears, that the views and inclinations of the archbishop agreed extremely well with those of the lord-lieutenant: and that they were both equally disgusted with the restraints of law. In one of Laud's letters he says, " I must desire your lordship not " to expect more at my hands than I shall " be able to perform, either in church or " state; and this suit of mine hath a great " deal of reason in it; for you write, that " ordinary things are far beneath that which " you cannot chuse but promise yourself " of me in both respects. But, my lord, to " speak freely, you may easily promise more " in either kind, than I can perform: for, " as for the CHURCH, it is so bound up in " the forms of the common law, that it " is not possible for me, or for any man, " to do that good which he would, or is " bound to do. For your lordship sees, " no

" no man clearer, that they which have
 " gotten so much power in, and over the
 " church, will not let go their hold: they
 " have, indeed, fangs with a witnes, what-
 " soever I was once said in passion to have.
 " And for the STATE, indeed, my lord, I
 " am for THOROUGH, but I see that BOTH
 " THICK AND THIN stays somebody, where
 " I conceive it should not; and it is
 " impossible for me to go THOROUGH
 " alone . . . "

IN another letter to Strafford the arch-
 bishop says, " I have received the copy of
 " the sentence against Paterson, and am
 " verily of your lordship's mind, that a
 " little more quicknes in the government
 " would cure this itch of libelling, and
 " something that is amiss besides, but you
 " know what I have written, and truly

" Strafford's letters and dispatches, vol. i. p. III.

" I have

" I have done expecting of THOROUGH
 " on this side, and therefore shall betake
 " myself to that which you say, and, I
 " believe, is the next best; and yet I
 " would not give over neither. As for
 " Challenour, it was the weakest part
 " that every Mr. secretary Coke did, to
 " leave him in the hands of a messenger,
 " and not commit him to a very safe
 " prison. But what can you think of
 " THOROUGH, where there shall be such
 " slips in busines of consequence? But
 " what say you to it, that Prynne and
 " his fellows should be **SUFFERED TO TALK**
 " **WHAT THEY PLEASED WHILE THEY**
 " **STOOD IN THE PILLORY**, and with ac-
 " clamations from the people, and have
 " notes taken of what they spake, and
 " these notes spread in written copies
 " about the city, and that when they
 " went out of town to their several

“ imprisonments, there were thousands
 “ suffered to be upon the way to take
 “ their leave, and God knows what
 “ else .”

In another letter he says, “ Your lord-
 “ ship apprehends right THE ILL CON-
 “ SEQUENCES OF THE LIBERTY OF
 “ THESE TIMES, both in speech and
 “ otherwise, and that Prynne is not
 “ the first that hath done mischief in
 “ this kind; nor do I think he will
 “ be the last; nor have I any great
 “ hope to see these things settle, nor
 “ other things as considerable as these,
 “ till reward and punishment HAVE
 THEIR

¹¹³ Strafford's letters and dispatches, vol. ii. p. 99.

¹¹⁴ Hence it appears, that the severity with which Prynne was treated, was not sufficient in the good archbishop's opinion. He was sentenced to have his book against plays, masquerades, &c.

“ THEIR FULL COURSE, and attend merit,
“ not persons ”.”

Mr. HUME’s account of the reign of king Charles I. may be considered rather as a specious and artful apology for that prince’s conduct, than a just history. In some respects, it is more partial than the celebrated history of lord Clarendon, though that nobleman was an avowed partizan of burnt by the hands of the common hangman, to be removed from the bar, and to be for ever rendered incapable of his profession, to stand twice in the pillory, to lose his ears, to pay a fine of 5000l. and to suffer perpetual imprisonment. But all this was not enough. He was PERMITTED TO SPEAK IN THE PILLORY; and this gave the archbishop great uneasiness. This evil was, however, in some degree prevented, in the case of John Lilburne; for he was gagged in the pillory, by order of the court of Star-chamber; of which Laud was one of the principal members.

^{as} Strafford’s letters and dispatches, vol. ii. p. 131.

C c 2

Charles.

Charles. But this seems to have been necessary, in order to enable Mr. Hume to support his favourite hypothesis. As to lord Clarendon, it appears to have been a sentiment never entertained by him, that the government of England was little better than despotic ¹¹⁶ at the accession of the house of Stuart. This was a discovery for which we are indebted to the acuteness of more modern writers.

CHARLES's arbitrary administration of government for eleven years, without the intervention of one parliament, was certainly sufficient to exasperate the people, and a natural source of the civil war that followed. It is to his tyranny, and to his obstinacy, that the national calamity

¹¹⁶ Mr. Hume styles the English government a MONARCHY ALMOST ABSOLUTE. Vol. vi. p. 312. edit. 1763.

ties are justly to be attributed, notwithstanding all the specious glosses, and artful representations of Mr. Hume.

OUR historian says of Charles, that
 " had the limitations on prerogative been,
 " in his time, quite fixed and certain,
 " his integrity had made him regard, as
 " sacred, the boundaries of the constitu-
 " tion." But this assertion will appear
 totally groundless, if we consider, that
 his administration of government, for a
 series of years, was little better than one
 continued violation of the Petition of
 Right, which he had himself solemnly
 passed into a law. This is a demonstra-
 tion, that however exactly the constitu-
 tion might have been ascertained, the in-
 tegrity of Charles would never have af-
 forded a security to his subjects. If we
 could suppose him to have been totally

ignorant of Magna Charta, and of every law made to restrain his predecessors from invading the rights of the people, or that he imagined those laws not binding upon him, we cannot suppose him ignorant of the Petition of Right, which he had bound himself to adhere to in the most explicit manner. And yet, for a series of years, he continued to trample on the rights of his subjects in the most wanton manner, and in direct violation of this statute. To suppose, that this can be defended on any solid principles, or that such a conduct was consistent with integrity, is to suppose, that the most solemn engagements which can be entered into amongst men, are not binding on the parties; and that the humour of princes, or political expediency, may justify the greatest enormities. It is, indeed, not unworthy of observation, that in

in the very same page in which Mr. Hume speaks of the "virtuous and gentle " temper of Charles," he also gives it as his opinion, that it is not improbable, if he had been possessed of a sufficient military force, he would have enslaved his subjects". So that such a conduct, according to Mr. Hume's ideas, would have been perfectly consistent with a **VIRTUOUS AND GENTLE TEMPER.**

Our historian, though he was certainly not fond of giving very favourable representations of the efficacy of piety, yet finds it productive of the best effects in the case of king Charles I. "While every thing around him," says he, "bore a hostile aspect; while friends, family relations, whom he passionately loved, were placed at a distance,

" Vid. Hist. vol. vi. p. 161.

“ and unable to serve him ; he reposeth
 “ himself with confidence in the arms
 “ of that Being, who penetrates and sus-
 “ tains all nature, and whose severities,
 “ if received with piety and resignation,
 “ he regarded as the surest pledge of un-
 “ exhausted favour ”.” It may, how-
 ever, very reasonably be questioned, whe-
 ther a prince, who had involved his sub-
 jects in all the horrors of civil war,
 merely to support his own unjust and
 tyrannical claims, could have any just
 grounds for confiding in the favour of the
 Almighty.

IN speaking of the extravagant notions
 and practices, which prevailed in England
 after the execution of king Charles I.
 Mr. Hume says, that “ it became a pretty
 “ COMMON DOCTRINE at that time, that

“ Vol. vi. p. 218,

“ it

“ it was unworthy of a Christian man to
 “ pay rent to his fellow-creatures ; and
 “ landlords were obliged to use all the
 “ penalties of law against their tenants,
 “ whose conscience was scrupulous ”¹¹⁹. ”

So extraordinary an assertion as this, certainly deserved some evidence to support it ; but with this we are not favoured : and, indeed, that such a doctrine should ever have become “ pretty common,” is too incredible to be believed.

Our historian’s representation of the propensity of the people of England, at this period, to form new systems of government and religion, is certainly much more ludicrous than just. “ **EVERY MAN**,” he says, “ had framed the model of a

¹¹⁹ Vol. vii. p. 173, edit. 1763. In the edition of 1778, this passage is in p. 528 of the same volume.

" republic; and, however new it was or
 " fantastical, he was eager in recom-
 " mending it to his fellow-citizens, or
 " even imposing it by force upon them.
 " **EVERY MAN** had adjusted a system of
 " religion, which, being derived from no
 " traditional authority, **WAS PECULIAR TO**
 " **HIMSELF**; and being founded on suppo-
 " sed inspiration, not on any principles
 " of human reason, had no means, be-
 " sides cant and low rhetoric, by which
 " it could recommend itself to others ¹²⁰."

He also speaks of the more moderate
 republicans, as being " so intoxicated
 " with their **SAINTLY CHARACTER**, that
 " they supposed themselves possessed of
 " peculiar privileges; and **ALL PROFES-**
 " **SIONS, OATHS, LAWS, and ENGAGE-**
 " **MENTS** had (he says) in a great measure,
 " lost their influence over them ¹²¹." An

¹²⁰ Hist. vol. vii. p. 155. edit. 1778.

¹²¹ P. 156.

author,

author, who takes such liberties as these, may draw amusing pictures, but he surely cannot justly be considered, in such cases, as employed in writing history.

MR. HUME, in a great degree, attributes the civil war, and the calamities which attended it, to the irregularities of the English constitution of government; and to the prerogative of the king, and the privileges of the people, not being exactly ascertained. And yet, with much inconsistency, he speaks with approbation of Charles II. being restored, without any conditions, or new limitations. "Had the parliament," says he, "before restoring the king, insisted on any further limitations than those which the constitution already imposed; besides the danger of reviving former quarrels among parties; it would seem

" that

“ that their caution had been ENTIRELY
 “ SUPERFLUOUS ” ” . ” What he urges in
 support of this opinion is, that, “ by reason
 “ of its slender and precarious revenue,
 “ the crown in effect was STILL totally de-
 “ pendant.” But as this had been the
 case before the civil war, and was not
 then sufficient to prevent regal tyranny,
 and the consequent national commotions,
 it was certainly not a sufficient security
 to the people after the Restoration. When
 the nation had been so long struggling
 against tyranny, and the power was in
 their own hands, it was manifestly in
 the highest degree irrational, to invest
 the son of the late king with regal dignity,
 without stipulating proper conditions for
 the future security of the liberties of the
 people.

IN his account of the reign of king
 Charles II. Mr. Hume is abundantly too

*** Vol. vii, p. 355, edit. 1778.

favour.

favourable to that prince. Speaking of the first six years of his reign, he says, ' Since the restoration, England was in a condition, which had never been experienced in any former period of her government, and which seemed the only one, " that could fully ensure her happiness and her liberty." The king was in continual want of supply from the parliament; and he seemed willing to accommodate himself to that dependent situation. Instead of reviving those claims of prerogative, so strenuously insisted on by his father and grandfather, he had strictly confined himself within the limits of law, and had courted, by every art of popularity, the affections of his subjects ' ' ' . That this representation is not conformable to historic truth, every man must be convinced, who will give

¹²² Hist. vol. vii. p. 460.

himself

himself the trouble to investigate the facts. As he proceeds, in his account of this reign, Mr. Hume, indeed, says, “ We “ now come to a period, when the king’s “ councils, which had hitherto, in the “ main, been good, though negligent and “ fluctuating, became, during some time, “ remarkably bad, or even criminal ”⁴.” But he censures Charles’s parliaments for not being “ disposed to supply with sufficient liberality the necessities of the crown ; ” and for “ imitating too strictly “ the example of their predecessors in a “ rigid frugality of public money ”⁵.” It would have been well for this country if later parliaments had been more liable to this objection ; and had not been so ready to raise enormous supplies for the crown, and to please the prince, or his ministers, by furnishing them, with so

⁴ Ibid. p. 468.

⁵ Ibid. p. 461.

much

much promptitude, with the means of carrying on unnecessary, impolitic, and destructive wars.

THE character given by Mr. Hume, in his account of the reign of Charles II. of the first earl of Shaftesbury, is by no means just. He says of this nobleman, that “ well acquainted with the blind attachment of parties, he surmounted all sense of shame: and, relying on the subtlety of his contrivances, he was not startled with enterprizes, the most hazardous and most criminal ”⁴⁶. No evidence has ever been produced to support so severe a character of the earl of Shaftesbury. His conduct, on some occasions, was justly liable to censure; but it has been proved, that the charge brought against him, of entering into all the ini-

⁴⁶ Ibid. p. 469.

quitous measures of the CABAL, is ill-grounded¹¹⁷; and his character appears to have been injuriously treated by various writers, without any proper evidence of the charges exhibited against him. As lord-chancellor, his conduct was very meritorious; he was a great promoter of the Habeas Corpus act; he was profoundly skilled in the English laws and constitution; and he was eminently distinguished for his eloquence, which he sometimes zealously employed in support of the liberties of his country.

THE conduct of Charles II. in the cases of Russel and Sydney, was too gross to be defended; and, therefore, Mr. Hume does not attempt this: but he endeavours to lessen our ideas of the crimi-

¹¹⁷ Vid. Biographia Britannica, vol. IV. p. 254—265. second edition.

nality of those transactions, and to palliate, as much as possible, the behaviour of the king. In the latter case, that of ALGERNON SYDNEY, after giving a sketch of his character and conduct, our historian says, " It may easily be conceived " how obnoxious he was become to the " court and ministry: what alone renders them inexcusable, was the illegal " method which they took of effecting " their purpose against him ¹¹⁸." And yet, after having thus admitted that illegal methods were adopted by the court to bring Sydney to the scaffold, he endeavours to throw the guilt of the transaction chiefly on the jury. " The evidence against him, it must be confessed, was not legal; and the jury who condemned him were, for that reason, very blameable. But that after sen-

¹¹⁸ Vol. viii. p. 192.

" sentence passed by a court of judicature,
 " the KING should interpose and pardon a
 " man, who, though otherwise possessed of
 " great merit, was UNDOUBTEDLY GUILTY.
 " T
Y¹²⁹, who had ever been a most in-
 " flexible and inveterate enemy to the
 " royal family, and who lately had even
 " abused the king's clemency, might be
 " an act of HEROIC GENEROSITY, but can
 " never be regarded as a necessary and in-
 " dispensable duty."¹³⁰

OUR historian says, that " Charles II.
 " in 1672, may with reason be deemed
 " the aggressor, nor is it possible to justify
 " his conduct¹³¹:" and yet he im-
 mediately urges all he can in extenua-

" SYDNEY was UNDOUBTEDLY GUILTY of a
 strong attachment to the liberties of his country, and
 an incurable aversion to every species of despotic government.

¹²⁹ P. 93.

¹³¹ Vol. viii. p. 321, edit. 1778.

tion

tion of it. So desirous was he to apologize for the conduct of the Stuarts, that though it is certain that Charles II. had formed schemes to enslave his subjects, and engaged in intrigues with France of such a nature, that they must for ever render his memory infamous, and of which there is the most unquestionable evidence; yet our historian says, that all the enormities of his government, "if fairly and candidly examined, may be imputed, in a great measure, to the INDOLENCE or HIS TEMPER; a fault, which, however unfortunate in a monarch, it is impossible for us to regard with great severity."²²²

MR. HUME labours to place, in a very unfavourable light, the conduct of lord

²²² Vol. viii. p. 266, edit. 8vo: 1763. Vol. vi. p. 371, edit. 4to. 1767.

Churchill, afterwards duke of Marlborough, at the Revolution. "Lord Churchill," says he, "had been raised from the rank of a page, and had been invested with a high command in the army; had been created a peer, and had owed his whole fortune to the king's bounty: yet even this person could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the duke of Grafton, natural son to the late king, colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of **EVERY DUTY IN PRIVATE LIFE**, and required **FOR EVER AFTER**, the most upright, the most disinterested, and most public-spirited behaviour, to render it **JUSTIFIABLE**." Our historian afterwards

afterwards adds: " But Churchill had
 " prepared a still more mortal blow for
 " his distrest benefactor. His lady and he
 " had an entire ascendent over the family
 " of prince George of Denmark; and the
 " time now appeared SEASONABLE FOR
 " OVER+WHELMING THE UNHAPPY KING,
 " who was already staggering with the
 " violent shocks, which he had received.
 " Andover was the first stage of his
 " majesty's retreat towards London, and
 " there prince George, together with the
 " young duke of Ormond, Sir George
 " Huet, and some other persons of dis-
 " tinction, deserted him in the night-
 " time, and retired to the prince's camp.
 " No sooner had this news reached
 " London, than the princess Anne, pre-
 " tending fear of the king's displeasure,
 " withdrew herself, in the company of the
 " bishop of London and lady Churchill.

" She fled to Nottingham; where the
 " earl of Dorset received her with great
 " respect, and the gentry of the county
 " quickly formed a troop for her pro-
 " tection."—" It is, indeed, singular,
 " that a prince, whose chief blame con-
 " sisted in IMPRUDENCES and MISGUIDED
 " PRINCIPLES, should be exposed, from
 " RELIGIOUS ANTIPATHY, to such treat-
 " ment as even Nero, Domitian, or the
 " most enormous tyrants that have dif-
 " graced the records of history, never
 " met with from their friends and
 " family."¹¹¹

At the very close of his history, and in the last edition of it, in the course of his reflections on the revolution, Mr. Hume still persists in apologizing for the conduct of James I. and Charles I.

¹¹¹ Vol. viii. p. 286, 287, 288, edit. 1763.

" The

" The inconveniencies," he says, " suffered by the people under the two first
 " reigns of the family of Stuart (for in the
 " main they were fortunate) proceeded, in
 " a great measure, from the UNAVOID-
 " ABLE SITUATION OF AFFAIRS; and
 " scarcely any thing could have prevented
 " those events, but such vigour of genius
 " in the sovereign, attended with such
 " GOOD FORTUNE, as might have enabled
 " him ENTIRELY TO OVERPOWER THE
 " LIBERTIES OF THE PEOPLE"

Our author, in the course of his history, seems studious to lessen the reputation of some of the most celebrated English writers. He generally begins with bestowing some compliments upon them, and then contrives, with great dexterity, to throw out such insinuations

^{***} Vol. viii. p. 320; edit. 1778.

against them, and so magnifies their defects, real or imaginary, as almost wholly to overturn what he has said in their favour: and the ideas which he endeavours to convey are such, as, if we adopt them, must greatly lessen our opinion of the merit of the eminent persons of whom he speaks. Thus, after several complimentary expressions of SPENSER, and styling him "the finest English writer of his age," he says, " Yet does the perusal of his work become so tedious, that one never finishes it from the mere pleasure which it affords: It soon becomes a kind of task-reading; and it requires some EFFORT and RESOLUTION to carry us on to the end of his long performance."—He " was employed in drawing the affectations, and conceits, and fopperies of chivalry, which appear ridiculous, as soon as they lose the

“ the recommendation of the mode.
 “ The tediousness of continual alle-
 “ gory¹³⁴, and that too **SELDOM STRIKING**
 “ OR INGENIOUS, has also contributed to
 “ render the FAIRY **QUEEN** peculiarly
 “ tiresome¹³⁵. ”

OF SHAKESPEARE, Mr. Hume¹³⁶ says, that if he “ be considered as a man born
 “ in a RUDE AGE, and educated in the
 “ lowest manner, WITHOUT ANY IN-

¹³⁴ It is not my intention to controvert the propriety of every sentiment advanced in the passages here cited from Mr. Hume. Part of what the historian says may be just, though the other part be manifestly unjust; and, in making quotations, it is sometimes difficult to separate the one from the other. It will be sufficient for my purpose, if the passages cited prove, upon the whole, that Mr. Hume has endeavoured, without just reason, to lessen the reputation of some of the most celebrated English writers.

¹³⁵ Hist. vol. v. p. 492. edit. 1778. 8vo.

“ **STRUCTION,**

" INSTRUCTION, either from the WORLD or
 " from BOOKS, he may be regarded as a
 " PRODIGY." That is, Shakespeare may
 be regarded as a prodigy, if he be viewed
 in a light in which he never was, or
 could be viewed by any human creature. It
 has been supposed, and with good reason,
 that Shakespeare was little versed in the
 ancient languages; but that he had derived
 no instruction, either from the world or
 from books, was never yet seriously sup-
 posed by any man. It may, indeed, be
 pretended, that Mr. Hume's meaning only
 was, that Shakespeare had not received the
 advantages of a liberal education, or had
 any opportunity of improving his sen-
 timents by a converse with the higher
 classes of mankind. But if this be his
 meaning, he has certainly not expressed it
 with much accuracy; and the evident
 design of his remarks is, to lessen the re-
 putation

putation of Shakespeare. " In his compositions," he says, " we regret, that many irregularities, and even absurdities, should so frequently disfigure the animated and passionate scenes intermixed with them; and, at the same time, we perhaps ~~ADMIRE THE MORE THOSE~~ BEAUTIES, ON ACCOUNT OF THEIR BEING SURROUNDED WITH SUCH DEFORMITIES. A striking peculiarity of sentiment, adapted to a singular character, he frequently hits, as it were by inspiration, but a reasonable propriety of thought he cannot, for any time, uphold." He also observes, that there may remain a suspicion, that we over-rate, if possible, the greatness of his genius; in the same manner as bodies often appear more gigantic, ~~ON ACCOUNT OF THEIR BEING DISPROPORTIONED AND MISHAPEN~~.

^{***} Hist. vol. vi. p. 191, 192, edit. 1778.

Of lord BACON, Mr. Hume says, that
" if we consider the variety of talents
" displayed by this man, as a public
" speaker, a man of business, a wit, a
" courtier, a companion, an author, a
" philosopher; he is justly the object of
" great admiration. If we consider him
" merely as an author and philosopher,
" the light in which we view him at pre-
" sent, though very estimable, he was
" yet inferior to his contemporary Gali-
" laeo, perhaps even to Kepler." There
does not appear to be the least judg-
ment or propriety in these parallels,
which are calculated for no other pur-
pose, but to lower our ideas of Bacon's
merit: and yet, to those who think
justly, they can have no such effect. We
may admit the superiority of Galileo
and Kepler in astronomy, mechanics,
and some particular branches of physi-
cal

cal knowledge; and yet it will by no means follow, that either of them were equal to Bacon as philosophers, or as writers for the instruction of mankind, and the advancement of universal science. This is the light in which Bacon should be viewed, and it is the light in which he always has been viewed, by those who were the best acquainted with his writings, and the best judges of his merit ¹³. But Mr. Hume farther observes, that "that NATIONAL SPIRIT, which prevails among the English, and which forms their great happiness, is the

¹³ We must have a very high opinion of the importance of lord Bacon's writings to the learned world, if we admit the truth of the assertion of Dr. Beattie, and it appears to be well founded, viz. that " Science has made more progress since his time, and by his method, than for a thousand years before."

Essays, edit. 4to. Edinb. 1777, p. 263.

" cause,

" cause, why they bestow on all their
 " eminent writers, and Bacon among
 " the rest, such praises and acclamations
 " as may often appear partial and ex-
 " cessive¹³³." Unhappily for Mr. Hume's
 remark, lord Bacon is one of the worst
 instances that could have been produced,
 as an evidence of the national partiality
 of the English. For it appears evident,
 that foreigners, at least for a considera-
 ble time, had a much higher opinion of
 Bacon's merit, than his own country-
 men; so that Francis Osbornae, who lived
 in the same age, observes of him, that he
 " was over-balanced by a greater weight
 " of glory from strangers;" and the au-
 thor of Bacon's article in the Biographia
 Britannica says, that " the memory of
 " this admirable man, expanded more
 " fragrantly abroad for many years, than

¹³³ Vol. vi. p. 194, 195. edit. 1778.

" here

“ here in his native country.” And it is remarkable, that lord Bacon himself appears to have foreseen this. For in his will is the following passage: “ For my name and memory, I leave it to men’s charitable speeches, and to foreign nations, and the next ages.” It is, therefore, manifest, that to attribute the high commendations that have been bestowed on Bacon to the national partiality of the English, is an imagination at once groundless and absurd.

Mr. Hume seems, in some respects, to have been more inclined to do justice to MILTON; and yet it is evident, that he was sufficiently ready to urge whatever could plausibly be advanced, in diminution of the character of this great and illustrious poet. In his character of him, and of his writings, he says, that “ in the

Paradise

“ Paradise Lost, his capital performance,
 “ there are very long passages, amount-
 “ ing to NEAR A THIRD OF THE WORK,
 “ almost wholly devoid of harmony and
 “ elegance, nay, of ALL VIGOUR OF IMA-
 “ GINATION;” and that “ his prose wri-
 “ tings are disagreeable, though NOT AL-
 “ TOGETHER DEFECTIVE IN GENIUS.”

He also says, that he “ was deeply engaged
 “ with the fanatics, and even prostituted
 “ his pen in theological controversy, in
 “ factious disputes, and in justifying the
 “ most violent measures of the party ”³⁹.”

But notwithstanding all that has been said
 upon this subject, there is no reason
 whatever to suppose, that Milton wrote,
 either in politics or in theology, what was
 contrary to his own private judgment. It
 is, therefore, highly injurious to say of such
 a man, that he PROSTITUTED HIS PEN.

³⁹ Vol. vii. p. 343, edit. 1778.

Milton

Milton was a republican from principle; and he thought, that a tyrant ought to be put to death as much as any inferior malefactor; and on this ground he vindicated the execution of Charles the First. It may also humbly be presumed, that a man does not necessarily "prostitute his pen" by engaging in theological controversy, by giving his opinion on matters, supposed at least to be of importance among Christians, any more than Mr. Hume would imagine he did by writing in support of the glorious cause of infidelity and irreligion.

THAT Milton thought he had no reason to be ashamed of his political writings, nor had any ideas of his having "prostituted his pen," is evident from his sonnet to Cyriac Skinner, on his blindness.

" Cyriac, this three years day, these eyes, tho' clear,
 " To outward view, of blemish or of spot,
 " Bereft of light their seeing have forgot ;
 " Nor to their idle orbs doth sight appear
 " Of sun, or moon, or star throughout the year,
 " Or man or woman. Yet I argue not
 " Against heaven's hand or will, nor bate a jot
 " Of heart or hope ; but still bear up and steer
 " Right onward. What supports me, dost thou ask ?
 " The conscience, friend, to have lost them overply'd
 " In LIBERTY'S DEFENCE, my NOBLE TASK,
 " Of which all Europe rings from side to side,
 " This thought might lead me thro' the world's vain
 mask
 " Content, tho' blind, had I no better guide."

It will be sufficient barely to recite the character which our historian has given of the celebrated ROBERT BOYLE, without making any remarks on it, to convince those who are acquainted with his merit and his writings, how little inclined Mr. Hume was to do him justice.
 " Boyle," he says, " improved the pneu-
 matic

" matic engine, invented by Otto Gue-
 " ricke, and was thereby enabled to make
 " several new and curious experiments
 " on the air, as well as on other bodies.
 " His chymistry is much admired by
 " those who are acquainted with that
 " art: his hydrostatics contain a greater
 " mixture of reasoning and invention
 " with experiment, than any other of
 " his works; but his reasoning is still
 " remote from that blindness and teme-
 " rity, which had led astray so many
 " philosophers. Boyle was a great par-
 " tizan of the mechanical philosophy;
 " a theory, which, by discovering some
 " of the secrets of nature, and allowing
 " us to imagine the rest, is so agreeable
 " to the natural vanity and curiosity of
 " men."⁴⁰ And, after having spoken in
 very high terms of NEWTON, he closes

⁴⁰ Vol. viii. p. 333, 334. edit. 1778.

the whole with the following curious observation: that while that great man
 " seemed to draw off the veil from some
 " of the mysteries of nature, he shewed,
 " at the same time, the imperfections of
 " the mechanical philosophy; and there-
 " by RESTORED HER ULTIMATE SECRETS
 " TO THAT OBSCURITY, in which they
 " ever did and ever will remain."⁴¹

NOTWITHSTANDING the defects of Mr. Hume's History of England, it may be read with considerable advantage, if it be read with caution, with a due attention to the prevailing views, sentiments, and prepossessions of the writer, and if it be compared with other English historical authors. Independently of its merit as a composition, it may be admitted, that much real information, and many remarks equally just and acute, are to be

found in Mr. Hume's history; but those who read his work, without such a previous acquaintance with other English historians, as will, in some degree, enable them to judge of the truth and impartiality of his representations, will often be led into the most erroneous conceptions. And it is certainly by no means a proper book to be put into the hands of British youth, in order to give them just ideas of the history and constitution of their own country; though this is an use to which it is sometimes applied. It requires a maturity of judgment, and a considerable degree of historic knowledge, to be able to read it without being misled by the political prejudices of the author, and by the art and dexterity which frequently attend his misrepresentations. There are sentiments in it which may be highly pernicious to the minds of youth, especi-

ally with regard to their conceptions of the rights of men and of citizens: and in many places the observations of this historian are calculated to infuse into his readers principles of scepticism, and to give them views very unfavourable, not only to superstition and enthusiasm, but to genuine and rational religion. For as our author had very unfavourable ideas of Christianity, he seldom let slip a plausible opportunity of throwing out insinuations against it, as well as against its teachers.

THOUGH Mr. Hume's language is, in general, extremely elegant, yet there are in his work no inconsiderable number of unauthorized modes of expression, and grammatical inaccuracies; of which Dr. Priestley, in his English grammar, has afforded a very copious specimen. It may also

also be observed, that, in the whole course of his history, Mr. Hume has hardly ever excelled in the description of a battle; almost all his descriptions of that kind being unanimated and uninteresting. He could describe a theological disputation with abundantly more energy and spirit than any warlike actions, though of the most brilliant kind. His descriptions of the battles of Cressy, Poictiers, or Agincourt, are much inferior, in point of spirit, to his account of king Henry the Eighth's disputation with John Lambert. And it may also be observed, that in the descriptions given by him of the most celebrated military actions of the English, he generally appears much inclined to lessen their splendour, and to speak disparagingly of the nation and their exploits ¹⁴².

¹⁴² Mr. Hume says, " The English never left
" their own country, but when they were conducted

IN his short narrative of his own life, Mr. Hume says, p. 23. " Though I had been taught by experience, that the Whig party were in possession of bestowing all places, both in the state and in literature, I was so little INCLINED TO YIELD to their SENSELESS CLAMOUR, that in above an hundred alterations, which farther study, reading, or reflection engaged me to make in the reigns of the two first Stuarts, I have made all of them invariably on the Tory side." But did this really arise from conviction, or did the objections, by a king of extraordinary genius, or found their enemy divided by intestine factions, or were supported by a powerful alliance on the continent." Hist. vol. iii. p. 98. It would have been much better, if they had been less ready to engage in foreign expeditions, and had made more opposition to the commencement of unnecessary and pernicious wars.

made

made by the Whigs to Mr. Hume's history, excite in him so much resentment, as to increase his prejudices against them? That pure, unbiassed reason, should have dictated to him, to make all his alterations on one side only, or that there should have been no just cause for making a single alteration on the opposite side, is an improbability, that Mr. Hume would not easily have admitted in the case of any other writer.

He complains, that since the revolution, the influence of the Whigs " has proved destructive to the truth of history." And " no man," he says, " has yet arisen, who has PAID AN ENTIRE REGARD TO TRUTH, and has dared to expose her, without covering or disguise, to the eyes of the prejudiced public."¹⁴³"

¹⁴³ Vol. viii. p. 322, edit. 1778.

This

This defect, we are probably to understand, is now supplied by the publication of Mr. Hume's history. He likewise informs us, that in consequence of the influence of the Whigs, " compositions the most despicable, both for style and matter, have been extolled, and propagated, and read; as if they had equalled the most celebrated remains of antiquity "¹⁴⁴." These DESPICABLE COMPOSITIONS, he informs us in a note, are those of RAPIN THOYRAS ¹⁴⁵,

¹⁴⁴ P. 323.

¹⁴⁵ P. 323. It is observable, that, in his Political Discourses, Mr. Hume styles Rapin "the most judicious of historians." But it is surely somewhat singular, that the writings of the most judicious of historians, should be "despicable both for style and matter." Vid. Hume's Political Discourses, p. 268. edit. Edinb. 1752.

LOCKE,

LOCKE, SYDNEY, HOADLY, &c.¹⁴⁶. Is it possible, that any friend to the interests of civil and religious liberty, and the common rights of mankind, or any man that has a just regard to characters of distinguished merit, can endure to hear such treatises as those of Locke and Sydney on government, not to mention the works of bishop Hoadly, spoken of as “ compositions the most despicable both for style and matter,” without feeling the strongest indignation? Or can such a method of speaking of the productions of authors, so truly respectable and illustrious, be vindicated by the most partial of our historian’s friends?

¹⁴⁶ Hist. vol. viii. p. 323. edit. 1778. This note is not in the edition of 1763, nor probably in any before that of 1778.

THERE

THERE is a neatness, an elegance, and a perspicuity, in Mr. Hume's narrations, which cannot fail to captivate his readers. But those who read history from rational motives, must wish to be instructed, as well as entertained: and no elegance of composition can atone for gross misrepresentations of the real state of facts. Indeed, the greater the liberties may be which are taken by an historian, in disguiising and ornamenting facts and characters, and the more what is called history approaches to romance, it may be the more pleasing, but it must be the less instructive. It may also be remarked, that an historian may be thought profound, when he points out, or seems to do so, the motives by which those were actuated of whom he writes; though it may often happen, that these are nothing but the mere imaginations of the writer;

writer; and the motives, which he suggests, may be totally different from those by which the parties were really influenced. This appears to have been frequently the case in Mr. Hume's history.

THOUGH our historian, from his desire of placing the princes of the house of Stuart in a favourable point of view, frequently palliates the most exceptionable parts of their conduct; yet it is but justice to him to acknowledge, that there are sundry passages in his history highly favourable to the general interests of liberty, and the common rights of mankind. But these are much more than counterbalanced, by a great number of passages and sentiments of so different a nature, that we have little reason to applaud our author for his consistency. And, upon the whole, I apprehend, that these

Observa-

Observations are sufficient to evince, that whatever commendation may be due to Mr. HUME as an ingenious, elegant, and polished writer, he is not entitled to equal praise as an exact, faithful, and impartial historian. Whatever may be the beauties of his stile, and however we may admire the eloquence with which his work is embellished, it is nevertheless certain, that we must have recourse to other sources of information, if we would obtain an accurate knowledge of the English history, if we would form just ideas of the most remarkable transactions and characters which occur in the annals of this country.

THE END OF THE FIRST VOLUME.



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